



DOMESTIC VIOLENCE AGAINST WOMEN

MULTI-COMPONENT RESEARCH

Domestic Violence Against Women - Multi-component Study

The Caucasus Women's Research and Consulting Network (CWN)

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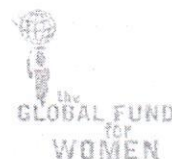
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FAMILY VIOLENCE ON WOMEN

MULTI-COMPONENT RESEARCH

The following edition demonstrates the findings of the study "Family Violence on Women-Multidimensional research", carried out under the project *Family Violence on Women*.

Deriving from the specificities of target groups and the research methodology this study provides various perspectives on the problem of domestic violence. The commonality among them is that they serve to publicize very complex, conflicting and tabooed theme of family violence in Georgia.

The aim of the project was to fully cover the problem and scale of family violence. The research presented in the following edition addresses legal aspects as well as the practical experience of those individuals who are directly affected by family violence (both victims and professionals)

Part of the research (such as study of teachers) carries the status of pilot research and of course, implies the necessity of further continuation. However, the results demonstrate core trends and problem areas.

As for the psycho-social research "Family violence on women", "The analysis of foreign legislation in the area of family violence" and the study "family violence and legal system" are the studies of independent value which in our opinion will have a very important role in overcoming the problem of family violence as well as in better realization of the significance of the above mentioned.

We hope that the following research will reach those professionals who are committed to work in the sphere of preventing and eradicating the problem of family violence, as of psychologically, socially, culturally and legally unacceptable phenomenon.

We think that the book will provoke the interest of larger circle of readers due to the fact that it contains many interesting facts and findings. Besides, it also holds an educational value in itself.

We greatly appreciate the creative work and professionalism of the participant authors and implementers of each study.

FAMILY VIOLENCE AGAINST WOMEN IN GEORGIA

The goal of the project was to estimate the priority forms and degree of spread of family violence against women. It was a first attempt to explain Georgian reality in this direction based on the information provided by women, direct objects of domestic violence.

For this purpose, qualitative research was carried out throughout the country based on the method of direct interviews. The research was purposefully directed since it selectively interviewed only those women who had the experience of joint life with a man for a year or more. 1000 women were interviewed on the principle of random sampling selection.

The questionnaire included 60 questions, mainly of closed-ended character and were divided in 11 thematic blocs (except for demographic section)

The wide spectrum of different forms of abuse was discovered: starting from sexual and physical abuse ending with psychological oppression. The degree of manifestation of psychological abuse is in accordance with the degrees of manifestation of other forms of abuse that partially grants psychological abuse the status of abuse indicator in general.

The majority of women, regardless of their age and place of residence, had become the objects of heavy physical (at least the fifth of the respondents) and verbal (the third of the respondents) abuse. It became evident that the certain percentage of women are permanent targets of abuse and require attention and assistance.

The widespread forms of family oppression and pressure also include freedom of independent decision-making, economic oppression that is characterized by multiple forms of manifestation such as financial control or other prohibitions and limitations of economic character.

The typical reactions of the respondents after the insult primarily include typical behavior models of the victims of abuse: not "noticing" what happened, passively taking aggression, not seeking help, compensating personal weakness over others, and primarily spilling irritation over children.

The most frequent objects of different forms of abuse become young women and region dwellers together with those women who do not possess the income of their own.

The majority of the respondents considers family violence as quite widespread phenomenon in our society the permanent object of which is the woman-wife.

One of the priority ways of confronting violence in the family together with divorce is resolving family conflict inside the family and by using more private means on the behalf of the silence, patience and effort of the wife- the very object of family violence.

OVERVIEW OF THE PROBLEM

Violence is a very crucial and acute problem of the last few decades. It is a fact that the vectoral direction of violence is not gender neutral because women often become objects of different forms of violent actions. It is impossible to research and analyze violence against women without taking into consideration those two central aspects of violence that determine the character of manifestation of this phenomenon and its dimensions in the society. Thus, while discussing violence against women, on the one hand, the

attention needs to be drawn to the manifested violence in the country. On the other hand societal context of the manifestation of violence is also a significant factor since it is based on institutionalization of violence in all areas of life-social, political, economic, and above all, legal. Family violence is the example of direct representation of the above mentioned two aspects. Family often becomes the arena of manifestation of various forms of violence against women. At the same time, family, as a social institute, is an implementing mechanism of societal control and subordination in the sphere where political or another type of external power structure is unable to reach.

The purpose of presented research was to study manifested violence against women in the context of the family. In other words, it was attempted to describe the reality in the country based on data obtained directly from those women who were subject to violence. Deriving from the above mentioned purpose, the research aimed to study the following:

1. To determine the configuration of the types of manifested family violence against women
2. The scope of intensity and the degree of manifestation of different forms of violence
3. Leading reasons of domestic violence and conflicts
4. Prioritize strategies of self protection from domestic violence among women
5. Perceptions and attitudes of women about the issues of domestic violence.

The principal innovation and significance of the presented research lies in an attempt to obtain information from the primary sources about the situation in the country in this area rather than studying the perceptions of the society about violence and the degree of its spread. It is clear that to set this type of goal involved certain degree of risk, since it meant to intervene in a very intimate, hidden sphere which is seldom discussed openly not only in our society, but in any society regardless to its openness in other aspects. Thus, the principal risk which is associated with this type of research and poses the threat to the objectivity of its outcomes is closely connected to established taboo of this subject.

Another threat derives from the specificity of the perception of violence against women. Society, including direct victims of violence against women often perceives violence as a norm, natural phenomenon and is not viewed as a problem (Even in such developed countries, as Germany and Norway).¹ As a rule, only the extreme manifestations of violence are considered as violence.

However, regardless to these difficulties and because of their existence, it was pivotal to conduct this type of research and establish a first close estimate of the existent reality without which it is impossible to make any vital systemic changes and undertake necessary steps for problem eradication.

FAMILY VIOLENCE AND ITS FORMS

In reference with the existing literature, violence within the family is any type of act that employs threat, force, derogation or other forms of limitations and oppression

¹ Īðàèðèéòì äáíäãðííé ĩñèõíëĩãèè ĩîä ðää. È.Ñ. Êëäöêèííé. Īèðãð, 2003

against family members in order to subordinate and obtain control over them². The spectrum of family violence manifestations is very wide and multidimensional, beginning from its very vivid and extreme form-threat to the life of a person, beating or physical torture ending with hidden or revealed psychological pressure and different types of oppression that in most cases causes tremendous damage not only to its direct target but to the other family members, especially children. In general, there are four following types of violence against women:

Economic violence-financial control, disconnection from economic resources, forbidding to work, refusing to give money, causing economic damage (destroying private property), etc;

Physical Abuse -injuring of the body, physical attack and other types of aggressive behavior, from bruises to murder. Physical violence often starts with hitting and results into repeated and serious attacks.

Sexual abuse- forcing women to have sexual relationship or intercourse without her wish.

Psychological abuse includes derogation, over possessiveness, disrespectful treatment isolation of women from friends and family members, threatening, manipulating, etc.

Verbal abuse some authors distinguish between psychological and verbal violence that implies verbal offence, scolding and derogation. Even though this type of abuse involves a great deal of psychological oppression, it is worthwhile to discuss it separately due to its degree of spread and intensity.

RESEARCH METHOD AND INSTRUMENT

Qualitative research was conducted through face to face interviewing. Survey was implemented by qualified interviewers who had extensive empirical experience. These were mainly the graduates of the Institute of Psychology and the department of Psychology in Tbilisi State University. 25 interviewers in total participated in research. They underwent two training sessions for Tbilisi respondents and the respondents from the regions separately. The survey was anonymous.

Field work took place from January 15 to March 15.

In consideration with the complexity and multidimensionality of the subject under study, 60 question survey was developed. In addition the interviewers had short questionnaire for their comments.

The survey primarily utilized close ended questions that included sub questions. The questions were composed based on naming and scale principles.

The questions were listed under special sections in accordance with the above mentioned types of abuse. There are following thematic sections (not including demographic section):

- Socio-economic condition of a family and the women itself;
- General atmosphere of couple's life;

² Ia Shekriladze, Natia Partskhaladze, *Materials from Training in Social Work for the Specialists Working with Children and Families*; Tbilisi, 2003

- Economic violence;
- Verbal violence;
- Physical violence
- Sexual violence;
- Psychological violence;
- The reasons for family conflicts and aggression;
- Priority strategies for women in self-protection from violence and behavior models during family conflicts
- Widespread perceptions and beliefs about violence against women;
- Definition of abuse from women' standpoint-what is violence for women;

The following socio-demographic criteria of selection were noted: place of residence, age, level of education, number of children and their gender, number and composition of family members living in the same residence, nationality, degree of religious practice, (according to the definition of the respondent), sphere of work, the length of marriage.

PROCESS OF SELECTION OF THE SAMPLE

It is important to mention that this is the first study its type that was conducted through representative selection of women from the country and is descriptive of its structure in accordance with specific demographic criteria. Besides, the survey had specific aim, since it intended to interview only those women who are in registered or unregistered marriage or who had the experience of family life with a man for a year or more. In total 1000 women were interviewed (+50 women for a pilot study).

The survey was conducted all over the country except for the territories which are not currently under The Georgian jurisdiction. S

election of the respondents was based on multi step random selection method through family visits. First stage of selection model involved random selection of those territorial units where the research was to be conducted. Specific quotas were determined for each territorial unit according to the proportion of its size. The respondents were selected based on these quotas in each territorial unit. For example, a house was chosen as a starting point and every 10th family was determined for a sample. The participants for the study were also selected randomly from the family members who met the criteria of target group requirements (the principle of last birthday). To avoid the inclusion of those individuals in the selection who didn't belong to the target group, the questionnaire employed screening questions. The selection in Georgian regions was done in proportion with overall population percentage in the region.³ The same principle determined the proportion of urban and rural population to be interviewed.

Thus, the selection is in complete accordance with population distribution in regards to the regions, as well as to the cities and villages. To determine the proportion of the

³ While determining the proportions of the sample we were guided by the principle that made possible to divide sample by representative sub-units in accordance to the regions.

selection, the annual reports of Georgian statistical department and Community research center were utilized. (Author G. Tsuladze)

50 individuals participated in a pilot study prior to main research.

Collected empirical data were analyzed using SPSS

Data was analyzed based on the information received from overall selection, as well as in consideration with specific criteria, precisely such elements as the place of residence, the level of economic well-being, income gained by women and its quantity, the degree of family life satisfaction, etc. In order to address regional peculiarities during data analysis, respondents were divided into three categories according to the place of residence: residents of Tbilisi, residents of Eastern Georgian and residents of Western Georgia. Residents of Samtskhe-Javakheti region were also included in the category of Eastern Georgian residents for the reason of small proportion of the latter. For age criterion, data was analyzed in three categories: Young age (18-35 years old); 2. mid-age (36-55 years old) and 3. older age (56 and more years old) groups.

STRUCTURE OF THE SAMPLE

Distribution of the respondents according to the regions is as follows (more detailed picture based on the field capacity is presented in appendix #1)

Table #1

Region	Number of Respondents
Tbilisi	428
Adjara	60
Samegrelo	72
Imereti	82
Guria	44
Kakheti	60
Shida Kartli	72
Kvemo Kartli	86
Mtskheta-Tianeti	34
Samtsxe-Javakheti	62

Respondent distribution by other socio-demographic characteristics presents a different picture:

Table #2

Age	Percentage of Respondents
18-23 years old	6,0
24-35 years old	31,1

36-45 years old	31,1
46-55 years old	19,3
56-65 years old	7,9
66 years old and above	4,3

Education	Percentage Distribution
Secondary	25,1
Special-Technical	22,5
Higher	41,1
Incomplete higher	4,3
Other	7,3

Table #3

Sphere of work	Percentage
Employer of state organization	27,7
Employer of private sector	10,4
Business owner	3,3
Student	3,4
Housewife	38,8
Retired	5,5
Unemployed	10,0
Other	0,6

Table #4

Nationality	Percentage
Georgian	83,7
Armenian	6,0
Azeri	3,2
Russian	3,2
Other	2,1

ANALYSIS OF RESEARCH

1. General description of respondents' families

The vast majority of interviewed women is currently in registered marriage (82,2 %). Almost everyone of them (79,9 %) is in their first marriage.

Table #5

Marital Status	%
First marriage	79,2
Divorced	7,3
Remarried after the divorce	2,4
Widowed	8,7
In a new marriage after husband's death	0,6

Is in unregistered marriage	1,1
Other answer	0,2

The majority of respondents (95,3 %) have children. Among them:

31,2 %	1 Child
49 %	2 children
13 %	3 children
1,5 %	4 children
0,3 %	From 5 to 11 children

18,7 %	Till 6 years of age
18,8 %	Till 12 years of age
16,9 %	Till 18 years of age
22,9 %	Till 27 years of age
16,5 %	28 years old and above

Mainly the families (80,3 %) consist of three (16,6%), four (31,5%), five (21,7%), or six (10,5%) members. Very seldom, but still to some extent there are women from 2 -(8%), seven (5,8%) and eight (2,1%) member families. Women from families who have more members are represented in very small numbers.

Based on the length of marriage, there is a following picture:⁴

Table # 7

Length of marriage	Percentage Distribution
From 1 to three years	10,0 %
From 4 to 10 years	26,9 %
From 11 to 15 years	15,6 %
From 16 to 25 years	27,0 %
26 years and above	20,5 %

The majority of respondents (73,4 %) stated that they have good (10,8 %) or satisfactory (68,6) housing conditions.

⁴ Please, note that this was an open ended question and required grouping according to certain parameter.

The majority of the interviewed women (93, 2%) perceive themselves as very religious (19,8%) or somewhat religious (73,4 %). It needs to be noted that this parameter (extent of religiosity) was less sensitive criteria in relation to the subject under research, since data analysis with its consideration didn't reveal any significant tendencies.

Table #8

The level of economic well being	Percentage distribution
1. Very low: income is not enough for food	12,0 %
2. Low: Income is barely enough for food and clothing	34,6 %
3. Medium: Managing to meet basic needs of family	49,1 %
4. High: Can afford entertainment and recreation costs	3,6 %
5. Very High	0, 5 %

As we can see, only small percentage of the respondents place themselves in the category of economically secure families. According to self assessment of economic condition, majority of women can be divided in two equal groups: The representatives of medium (49,1 %) and low income (46,6 %) families. This can be viewed as the objective reflection of the condition of population as a whole. The factor of economic well being was very closely connected to and in statistically significant relationship with the extent of manifestation of different forms of violence.

2. OVERVIEW OF THE GENERAL ATMOSPHERE OF FAMILY LIFE

The majority of women, if not dissatisfied, were not adequately satisfied (25.6%) with their family life. Every eights or ninth woman expressed their discontent in this regard (see table # 10). The position of overall selection in relation to this subject is expressed with the mean number 3,72 on the continuum of 1 (very dissatisfied) to 5 (very satisfied). The general position can be placed in between two assessment criteria: “more satisfied then dissatisfied”, and “neither satisfied nor dissatisfied”.

Table #9 Q. 2. Overall, how would you rate the degree of satisfaction with your marriage?

You are:	Percentage distribution
Very satisfied	25.1%
More satisfied than dissatisfied	37.5%
Neither satisfied nor dissatisfied	25.6%
More dissatisfied	7.6%
Extremely dissatisfied	4.1%

It should be noted that this factor can be viewed as one of the indicators of family violence extent due to its high correlation with the signs of manifestation of family violence.

In solving the problems emerged during their joint life only 45.7% of women equally with their husbands have the right on final decision-making. In case of almost same number of women (41,5%) final decision-making power belongs to the husband (36.8%) or to the other family member (4,7%) (see table # 10). It is significant that majority of women who point out that they have decisive power in their family are those who are either in unregistered marriage (45,5%) or remarried after divorce or death of the husband (37.5). Their cumulative percentage is 9, 9% out of 11,2%.

Table # 10

Decision –making power	Percentage distribution
Mainly mine	11,2%
My husband’s/partner’s	36,8%
Both equally	45,7%
Other family members (specifically whose)	4,7%
Other (please specify)	1,1%

Even in solving those issues that are related solely to women, only less than quarter of respondents (23,7%) do not agree it with anybody. The majority of women (67,5%) necessarily seek the agreement of their decision with the husband (59,7%) or other family members. These are primarily children of the respondents or the representatives of the elderly generation. Almost every 10th woman declares (9,5 %) that the issues that directly relate to them , are primarily solved by their husbands regardless of their will. (see table #11)

Table #11

Question	Percentage distribution
I decide myself and do not ask to anyone	23,7%
My husband decides mostly regardless of my will	9,5%
I myself necessarily agree it with my husband	59,7%
I agree it with my other family members (primarily with who)	7,0%

Regional Specificities

Even though the degree of family satisfaction is not significantly different from the indicator derived from the overall sample, it is still possible to discuss somewhat different trends that were exhibited mainly by the representatives of Western Georgia.⁵ In comparison with residents of other regions, the respondents of the above-mentioned group express more satisfaction with their family life. If we take into consideration the mean indicator, it will be obvious that with the representatives of this group this indicator is higher than in two other

⁵ As mentioned above, according to the place of residence three groups were identified: 1st group – Tbilisi residents; 2nd group-Western Georgian Residents; 3rd group-Eastern Georgian residents .

groups (the mean number of 3.82 as opposed to 3.7 and 3.66 in Tbilisi and Eastern Georgia respectively). Thus, there is more tendency of satisfaction. Among the representatives of the second group, there is higher percentage of those who express extreme satisfaction with their family life (“extremely satisfied”-30.6 % as opposed to 21.6% and 23.8% in 3rd and 1st groups respectively). However, even though in this group less women are dissatisfied with their family life (7.7 % as opposed to 12.9 % and 12.1% respectively), the majority of responses (“neither satisfied, nor dissatisfied) were obtained here (28.3 % as opposed to 24.8% and 24.5 % respectively).

With regards to decision-making in their joint life, all three groups are characterized by somewhat different trends: Among the respondents of Western Georgia there is the least percentage of those who perceive their word as decisive in their family (7 % as opposed to 13 % and 11.9 % in 1st and 3rd groups) and higher percentage of those women who seek the agreement of their decision with other family members (8.1 % as opposed to 4.2% and 3% in 3rd and 1st groups). Overall, in comparison with the residents of Tbilisi, the regions are characterized with the higher percentage of those women, whose husbands have the final decision-making power in the family (39,7 % and 36.4 % in 3rd and 2nd groups as opposed to 33.8% in the first group). In this regard the better condition is noticed with Tbilisi respondents, since there is more percentage of those women who have equal rights with their husbands. (48,1% as opposed to 46,1% and 42,6% in 2nd and 3rd groups).

The same trends were exhibited in solving the issues directly related to them. Specifically, Tbilisi respondents demonstrated the most independence in solving their problems (27,5% as opposed to 18,2% in the 2nd group and 22,9% in the 3rd group) and Western Georgian representatives exhibited least independence, for they don't give themselves the right to independently make decision and always agree it with their husbands (67,8% as opposed to 55,5% and 57,6% in 3rd and 1st groups respectively). The majority of respondents from Eastern Georgia admit that this type of decisions are solely made by their husbands (14,2% oppose to 6,2% and 8,1 in the 2nd and 1st groups).

Age specificities

The most dissatisfied of their family life are middle age respondents and the most satisfied are the elderly respondents (the mean numbers 3.76, 3.66, 3.82 – 1st, 2nd, 3rd age groups, respectively).

In comparison with other age groups in the 1st age group there is the least percentage of those who have the final say in solving the issues of joint life (7,8%, 12,9%, and 30,9% in 1st, 2nd and 3rd groups). At the same time in comparison with the other respondents 3rd age group has the majority of those women whose husbands unilaterally decide such issues (35,8%, 35,7%, 40,2%) and least cases of joint decisions (46,3%, 46,4%, 40,2%).

In the youngest age group there is the highest percentage of those whose husbands decide the problems directly related to women (12,0%, 8,1%, and 7,4%, in 1st, 2nd, 3rd age groups).

Conclusions

- Thus, in assessing the general climate of marriage, discomfort felt by women and the elements of psychological abuse (or oppression) are evident. Specifically:
 - More than the 3rd of women is not completely satisfied with marriage;
 - Vast number of women (majority) do not let themselves to independently solve even those issues that directly concern them. In every 10th case this decision is made by their husbands;
 - In addition, more than the 3rd of women can't or don't place themselves in equal conditions with their husbands, when it comes to solving the problems of joint life.
- In comparison with the residents of regions, Tbilisi inhabitants enjoy more degree of freedom. The representatives of Western Georgia exhibit the tendency of placing limitations on themselves, while in Eastern Georgian women it is more common for husbands to limit their wives. In general, there is impression that Western Georgian respondents strive to present the objective reality in a more socially desirable way. This is illustrated by the emphasis that they place on family life satisfaction and the necessity of the participation of others in any issue. It is possible that due to this factor in Eastern Georgian women the extent of oppression and pressure is more apparent.
- Age specificities are less significant however, more limitations of decision – making freedom are obvious in young respondents.

3. SOCIO-ECONOMIC STATUS OF WOMEN

The majority of respondents (67.5%) either does not possess their private income or have the income of a small quantity (see table # 12)

Table # 12 Q. 12 Do you have your own income?⁶

Question	Percentage distribution
1. Yes and primarily I support my family	11.7%
2. Yes and I contribute to the overall budget of the family	19.7%
3. Yes, but very insignificant	19.7%
4. No, I don't have the income of my own	47.8%

Moreover, the possession of private income and its quantity was in somewhat statistically significant relationship with general degree of family life satisfaction, as well as with the intensity of manifestation of various forms of abuse.

⁶ Since we consider that it is significant to use these data while discussing other results, numbers 1, 2, 3,4 will be assigned to identified groups and later referred to as such according to decreasing of personal income.

More than half of interviewed (56.3%) doesn't work at all (53.9%), or has a temporary job (2.4%). The significant number of women in this category is unemployed and justifies this by the obligation of taking care of their household (44.6%) or due to limitations from husband (7.4%).

Table #13 Q. Why don't you work?

Question	Percentage distribution
I take care of my family	44.6%
My husband doesn't allow me to work	7.4%
I was not able to find a job and gave up	32.9%
I am studying	5.1%
My husband has sufficient income, so there is no need for me to work	4.3%
Other	5.7%

Among those women who work, (41.6%), 35,5 % have permanent work. Others are employed temporarily. The majority of the employed women (64.7%) if not dissatisfied (16,2 %), are not satisfied (48,5%) with their job. Only the third of employed women express their satisfaction with their job (35,4%, out of which 10,2 % are extremely satisfied). Almost the fifth of the employed women (22, 5%) have support of others in household chores. However, as it becomes evident, only very small number of women states that household obligations prevent their professional development (6,7 %). The majority complains about the contrary (14, 4 %), or does not see any obstacles in combining household obligations with professional development. (See table #14)

Table #14 Q.12 How often do you have to ask for money from your husband for yourself or your family?

Question	Percentage distribution
Household obligations do not prevent my professional development	54,8%
Household obligations prevent my professional development	6,7%
My work prevents me from household chores and family lacks my care	14,4%
Others help me with my household	22,5%

Regional specificities

In regards to employment, there are no significant variations among three groups. However the percentage of unemployed is higher in Eastern Georgian representatives (58,7%, 53,5% and 48,6% respectively in the 3rd, 2nd and 1st groups).

As compared to Tbilisi dwellers, the representatives of both regions explain their unemployment due to family obligations (49,6 % and 46,6% in the 2nd and 3rd groups as opposed to 40, 2% in Tbilisi). Among representatives of Western Georgia, the motif of

restriction to women's employment from husbands is least demonstrated (4,3% as opposed to 8,4 % and 8,5 % in the 3rd and 1st groups).

The same trend is present in other subjects of this quota, as in overall sample.

Age specificities

The younger respondents have the least percentage of permanent employment (25,7 %, 42.3%, 37.0%- in the first, second and third groups). Among the younger respondents, there is the least percentage of those who believe that family does not interfere with their career (15,0%, 29,8%, 29,5%-1st, 2nd, and 3rd groups) and also among them only small number states that career interferes with their household chores (2.4%, 9.1%, 5.7 – n the 1st, 2nd, and 3rd groups).

Among the reasons of not working in younger age group, the mostly stated is the motif of "family care" (33,7%, 18,5%, 13,5% in the 1st, 2nd and 3rd groups). In this context, mostly the younger and older age group representatives state that husbands prevent them from working (6,4%, 1,6%, 5,7% in the 1st, 2nd and 3rd groups).

Conclusions

- Thus, a significant number of women (almost half of the respondents) do not possess the income of their own and consequently are in complete dependence on other members of their family. Women under such conditions are more likely to become the victims of economic violence.
- The majority of working women have indifferent or negative attitude towards their job satisfaction and possibly they view work as only a source of additional income, rather than the opportunity of their personal and professional self realization. This can be proved by the emphasis that the majority of women place on household chores and family care compared to which work or professional development plays less vital role.
- The main reason of women deprivation from economic resources lies in family care and derives directly or indirectly from men's desire or request-restriction. This factor is highly stressed among the representatives of regions.
- In regards to economic condition and employment, no significant regional differences can be noted.
- Youth are more deprived of their own income. Mainly they explain their unemployment with family care motif and interfering role of household obligations in their work related activities is more emphasized.

4. SIGNS OF ECONOMIC VIOLENCE AND THE INTENSITY OF ITS MANIFESTATION

The vast majority of women (82.9%) asks or had to ask for money from their husbands in order to secure their own or family needs. In addition, this takes place almost always (39.4%) or often (15.9%).

Table # 15 Q.#12 How often do you have to ask for money from your husband for yourself or family?

Question	Percentage distribution
Almost always when I need it	39.4%
Often	15.8%
Seldom	22.1%
I used t ask very often, but now almost never	5.6%
Never	13.3%

The analyses of research data in regards to the possession and the quantity of own income demonstrates that the most numerous group of those women who almost always have to ask for money from their husbands are those respondents who do not have their own income (27% as opposed to 1.5%, 5.1% and 6.8% in 1st, 2nd and 3rd groups respectively). However, it should be noted that in this regard there is not a significant difference among those women who never ask for money from their husbands 93.3%, 2.8%, 3.1%, and 4.7% in 1st, 2nd, 3rd, and 4th groups respectively).

Among those women who seldom or never have to ask fro money from their husbands (42.2% of the respondents) the vast majority (45% or 19% of all respondents) state that they have the income of their own. Besides, 12.4% of the interviewed women and 29.4% of those respondents who never ask for money from their husbands can take some amount from joint savings without asking permission from their husbands (see table #17).

Table # 17 Q. # 13 you seldom or never have to ask for money fro your husband because

	percentage distribution (overall sample)	percentage distribution of those women who never have to ask for money fro your husband
You have your own income	19%	45%
You can take as much money from your joint savings as you need	12.4%	29.4%
Your husband does not have own income	6.8%	16.1%
Even if you ask you won't get it	1.5%	3.6%
You ask for money from others	1.5%	3.6%

As we see certain percentage of women ask for money from others and these others are primarily parents, children, or brother. Every second or third women (39.7%) of the respondents is accountable to their husbands for almost every expenditure that they make even in those cases when the expenditure is for personal need. Only a quarter of women (26.6%) enjoy the freedom to decide whether to tell their husband about the expenses or not. Certain number of women (11.2%) never holds their husbands accountable for the expenses. Women who do not have income of their own tend to hold their husbands accountable on almost every expense (1.9%, 4.7%, 4.6%, and 15.1% in 1st, 2nd, 3rd, and 4th income groups respectively).

Table # 19 Q. # 14 In what cases do you tell (or did you tell) your husband about the expenses made by you?

	percentage distribution
Almost on every expense	26.0%
On the majority of my expenses	11.30%
Only in case of major expenses	20.70%
Only in case of the expense made for my personal need	2.40%
Only if I consider it appropriate	26.60%
Never	11.20%

Among those women who tend to hold their husband accountable about the expenses (60.6% of the respondents) almost the third (32%) state that they do this because of family norms or husbands requirement (see table #18).

Table # 19 Q. 15 You tell your husband about expenses because

	percentage distribution
This is an accepted norm in the family	20.30%
Your husband considers it as appropriate	11.70%
You considers it as appropriate	64.20%
Other	3.80%

As for freedom to purchase something for their own need only half of the respondents (48.7%) enjoy this opportunity. Other experiences some degrees of limit. Every forth or fifth among them purchase something for their own need together with their husband (18.5%) or other family members (2.3%) or do not purchase anything on their own (3.2%).

Table #20 Q. # 11 Can you purchase something for yourself without asking permission of other?

	percentage distribution
Definitely, regardless of major or petty purchases	48.70%
Yes, if it is petty purchases	26.40%
Primarily with the agreement of my husband	18.50%
With the agreement of other family members	2.30%
I never purchase anything on my own	3.20%

In addition to abovementioned forms of economic violence there are many forms of violence of this type. For example, almost the third of interviewed women have experienced some type of economic pressure in the form of restriction. During joint life almost forth or fifth women (21.4%) had prohibition to work from their husbands. Certain percentage of women (8.9%) had prohibition to continue education. See table # 20. In case of a very representative group of respondents (16.6%) prohibitions were made on

their ordinary or favorite activities, that implies not only economic violence, but carries a significant impulse of psychological abuse as well (see table # 21). Every fifth women states (20.1%) that husbands have refused to give them money out of which (11.1%) had to deal with this refusal often or from time to time.

Table #21 Q. #32 In your case how often did you face this kind of restrictions? ⁷

	Yes often	Sometimes	Seldom	Never	Don't know
Has prohibited to work	9.6%	6.3%	5.5%	63.3%	14.8%
Has prohibited to continue education	6.1%	1.1%	1.7%	72/6%	17.3%
Has prohibited to do your favorite or ordinary activities	3.4%	6.0%	7.2%	66.5%	16.3%
Has not given you money when you have asked for it	4.3%	6.8%	9.0%	62.7%	16.5%

Every tenth or eleventh women (9.4%) have he experience of the case when husbands refused to give necessary money for the purposes of punishment (se table #21). almost the same number of women (9.2%) experienced the threat from their husbands of being kicked out of their house during their joint life (see table # 22).

Table #22, Q. 27 during your joint life were there cases when your husband

	Often	Sometimes	Seldom	Used t but not now	Never
threatened to kick you out of the house	2.0%	2.2%	2.5%	2.4%	90.7%
in order to punish you he left you without food	0.0%	1.1%	0.4%	0.5%	97.2%
in order to punish you didn't give you necessary money	1.7%	2.3%	4.0%	1.45%	89.8%

The cases of economic violence also include criticism and complaints about women's work or household chores, which was experienced to some degree by every 4th or 5th women.

Table #23 Q.31. In general what was/is the subject of your husband's complaint or criticism?

⁷ In regards to economic restrictions, as well as to other limitations it is important to note that vast majority of women (14-18%) avoid answering these questions . It is possible that restrictions are quite widespread and their admittance appeared to be a very painful theme for the respondents .

	Often	Sometimes	Seldom	Used t but not now	Never
Your job (that you go to work in order to waste time and don't pay enough attention to the family)	2.2%	3.9%	8.2%	6.9%	77.9%
Your household work	2.2%	3.2%	11.3%	5.7%	76.9%

Regional specificities

In comparison with Tbilisi representatives, residents of regions have to ask for money from their husbands in order to fulfill their own or family needs (59.4%, 55.4%, and 51.8% in 3rd, 2nd, and 1st groups respectively). This difference was particularly vivid in case of eastern Georgian representatives. This trend was obvious with respect to the fact that the percentage of those who never had to ask for money from their husbands is comparatively low among the respondents of the regions (11.6% in 2nd and 3rd groups as opposed to 16% in the 1st group).

There were no significant differences in terms of priority reasons for which women have to ask for money from their husbands. several important moments still have to be considered: among the respondents of the 2nd group the possession of own income is not an important motive to explain why they don't ask for money from their husbands (31,3% as opposed to 50% and 49.6% in 1st and 3rd groups) In addition, regardless to the place of residence the same percentage of the respondents is not able to use joint savings (28.6%, 30.3% and 29.3% in 3rd, 2nd and 1st groups respectively). Overall, it's evident that almost the third of respondents doesn't allow themselves to utilize joint savings. In comparison to Tbilisi, more percentage of respondents from the regions holds their husbands accountable for almost every expense (30.8% and 30.5% in 3rd and 2nd groups as opposed to 20 9% in 1st group). In this regard Tbilisi residents enjoy the most freedom of their own decision and Eastern Georgian residents have the least freedom to do so. In comparison to other regions among Western Georgian residents there is more percentage of those who hold their husbands accountable for their personal expenses (3.9% as opposed to 1.7% and 2.1% in the 3rd and 1st groups respectively). The distribution of motives in regards to the accountability of expenses is almost the same in every group and coincides with the result of the overall sample.

In respect to general restrictions it is important to note the fact that the significant percentage of the representatives of Eastern Georgia, ¼ of the respondents and even more (25.8% -32.6%) is more prone to avoid the answer to this question. On this background high number of those respondents in Tbilisi, who restrained themselves from answer, seem quite insignificant (13.2%-14.4%). This circumstance breeds another vivid trend: Even though, the extent of manifestation of economic violence is equal in all three regions and coincides with the result of overall sample there is still high percentage of those women in Western Georgia who state that they have never been subject to those restrictions (in the range of 75.6%-83.3% as opposed to 51.3%-60% in 3rd group and 63.4%-75.2% in the 1st group).Here the cases of avoiding the answer to the question are

significantly low (in the range of 4%) and don't differ from the indicators derived from other questions.

Among the respondents of 1st and 3rd groups there is higher percentage of those women who state that they have been subject of criticism of their work during different periods of their life (25.2% and 22.8% in 1st and 3rd groups as opposed to 13.3% in the 2nd group). The same picture was apparent in regards to criticism of household work. The subjects of those criticism are mostly among Tbilisi respondents (26.6%) followed by eastern Georgian respondents (22%) and Western Georgian respondents (16%).

As for the manifestation of economic violence in the context of punishment the similar results were obtained in every group.

Age specificities

With respect to purchases and freedom of spending, the following trends can be noted:

- ✓ The number of those who can purchase whatever they desire grows with age (47.6%, 48.5%, 52.55);
- ✓ There is less incidence of asking money with age growth. Among young people, there is significantly higher percentage of those who have to ask for money from their husbands (46.8%, 37.3% and 24.6% in 1st, 2nd and 3rd groups);
- ✓ The possession of own income is another reason together with age growth of not having to ask for money (14.4%, 19.6% and 30.3%);
- ✓ Among young people there is lowest percentage of those who can afford to spend money from joint savings (8.8%, 14.9%, and 13.1% in 1st, 2nd, and 3rd groups). Among young people higher percentage states that they won't be able to receive money even if they ask for it (2.7%, 0.8% and 0.8% 1st, 2nd and 3rd groups respectively);
- ✓ Together with age growth husbands are held less accountable about the expenses (29.9%, 24.6%, and 20.5%). The opposite condition takes place when nothing is being told (6.1%, 13.1 and 18.3% in 1st, 2nd and 3rd groups);
- ✓ The following trends were determined in terms of reasons of not reporting about the expenses: with age growth this kind of accountability is considered "as appropriate for the family" (9.9%, 15.3, and 19.7%). Among young people there is higher percentage of those who consider it appropriate themselves 94.9%, 41.1% and 37.4% in 1st, 2nd and 3rd groups) and whose husbands consider it as appropriate (8.0%, 8.7% and 4.9% in 1st, 2nd and 3rd groups);
- ✓ In young people it is more common not to receive money from husband for the purposes of punishment (the mean indicator on the scale from 1 "often" to 5 "never"- 4.72; 4.79; 4.83 in 1st, 2nd, and 3rd groups respectively).;

There is more degree of manifestation of economic restrictions among the representatives of the younger age group. Specifically, more percentage of the representatives of this group state that the husbands restrained them from work (the mean indicator on the scale from 1 "often" to 4 "never"-3.54; 3.78; 3.7 in 1st, 2nd and 3rd groups) from education (3.82; 4.03; 4.04) from enjoying the favorite activity (3.83; 3.88; 3.93) from receiving money when they have ask for it (3.75; 3.83; 3.93).

Conclusions

- Thus, economic violence is manifested in many different ways among which the most widespread are financial deprivation and permanent economic dependency on the husband. This entails the total financial control of every necessary purchase (for personal or family purposes) beginning from receiving necessary money to holding accountable for each and every purchase. The overwhelming number of women is subject to this financial pressing which is illustrated by the fact that the only 12.4% of the respondents enjoy the freedom to freely spend the joint savings.
- It is worthwhile to state that economic violence is intensely experienced by those women who do not possess the income of their own. These women are the ones who are the objects of constant financial pressure and oppression. At the same time less intensely but still equally economic violence is manifested in all groups of the respondents regardless of the quantity of their own income.
- In parallel with the abovementioned forms there are such explicit manifestations of economic violence as economic restrictions, deprivation from financial resources and exercising economic limits for the purposes of punishment.
- Even though, regional specificities are not significantly manifested in terms of economic violence some stable trends are still vivid. In general, regional dwellers are more prone to experience economic pressure due to the reason that they are less likely to manage joint savings more accountable to their husbands and more dependent financially on them regardless to the possession of their income. In regards to this parameter, the most critical situation is manifested among the residents of Eastern Georgia. The lighter manifestation of this trend could be attributed to the reflection of the objective reality in Western Georgia as well as to the constant tendency of the representatives of this region to describe the reality in a brighter and socially desirable manner.
- Economic limitations are more manifested in younger age group. This is illustrated by lesser opportunity to utilize financial resources and more accountability to the husbands. And all this is determined by the fact that younger people are less likely to have their own source of income and are more dependent on their husband. In addition, they are objects of financial pressing from husbands that is manifested by the degree of economic limitations imposed upon them.

5. PSYCHOLOGICAL ABUSE

Psychological abuse is one of the most multidimensional and common form of violence manifestation. Besides, it comes together with every other form of violence and thus it is almost impossible to differentiate this type of abuse in its pure form. Consequently, while discussing the forms of psychological abuse we have to limit ourselves with only the part of its manifestation, which still is very widespread and diverse. To this category of abuse, besides verbal insult, scolding threatening, complaints and limitation, or open manifestation, belong depressive emotional condition of women, sense of personal weakness or fault that are experienced by women in relation to their husbands.

It can be stated that the harshest result is derived from such form of psychological abuse and oppression that entails personal devaluation and diminishing (see table #24). This type of abuse is manifested in the cases when the women is made to believe that she has no personal value and simply can't survive without husband, (44 % of the respondents has experienced this feeling throughout different stages of her life) that she is incapable of independent decision making (56.6% of the respondents), and that her goals and achievements mean nothing and have no value (61.3% of the respondents).

Table # 24 Q. # 5 Were there cases when your husband made you feel:

	Overall indicator of case manifestation of	Often	Sometimes
that you are incapable of independent decision making	56.6%	11.7%	15.3%
that you are nothing without him and will perish	44.9%	10/1%	14.2%
Q. 10 Do you have the feeling that your husband does not adequately value/did not adequately value you goals and achievements	61.3%	15.8%	17.5%

The logical continuation of this type of treatment towards women is the condition where according to the vast majority of women (60.6%) the main goal of their life lies into fulfilling and taking into consideration every desire and requests of their husbands. This position is not shared only by 18.6% of women (see table #25).

Table #25 Q. 23

Can it be stated that

one of the main goals of your life is taking into consideration and fulfilling every desire and request of your husband	Yes definitely	Somewhat	More no than yes	Absolutely no	It's hard to answer
	20.8%	39.8%	18.0%	18.6%	2.15%

Undoubtedly, this kind of assessment of their main role and function by women is reflective of the societal stereotype of “good women” and constitutes a tribute to social desirability bias. At the same time it is quite apparent that high degree of this sort of readiness and submissiveness is closely interconnected with the requests of the husband. The vast majority of women (74.5%, among which 34.4% with rest assuredness) state that husbands expect precise fulfillment of their request. Moreover, according to the confession of 62.3% of women their husbands express anger in case of not fulfilling their requests. Almost the third of women (32.3%) is afraid of husband’s anger to some extent (see table #26).

Table # 26

Q. # 24 How do you think, does you husband expect that you will not only take their requests into consideration, but precisely fulfill as well?	yes definitely	I think yes	I don't think so	definitely no	it's hard to answer
	34.4%	40.1%	15.8%	8.6%	1.1%

Q. #25 Does your husband become angry when you don't fulfill his requests or can't determine what does he expect from you	Yes as a rule	Mostly yes	Sometimes	Rarely	No
	18.4%	22.0%	21.0%	31.7%	2.8%

Q. # 26 Are you afraid of your husbands anger	Yes definitely	Somewhat yes	Not really	Definitely no	It's hard to answer
	11.1%	21.2%	29.3%	36.9%	0.6%

Among the wide spectrum of psychological abuse manifestations there is no such form which wasn't manifested to some extent towards a minimum of 2.5% to 10% of women. The discussion of these forms of abuse in respect to the extent of their manifestation crates certain hierarchy, where the most widespread form is verbal insult, scolding, and the least common form is leaving a person without food for the purposes of punishment (see table #27).

Table #27 Q. 27 during your joint life were there cases when your husband:

	overall indicators of cases	often	sometimes
verbally insulted or scolded you while being angry	66.9%	18.1%	24.5%
blamed you for his mistake or bad mood	49.2%	11.9%	18.1%
was jealous without a reason	33.9%	7.8%	9.7%
devalued you in front of family members and friends	33.0%	5.3%	7.9%
took the side of those who criticized you	30.9%	5.9%	6.3%
in order to seek your agreement pressured or threatened you	27.0%	5.9%	5.5%
didn't give you money in order to punish you	9.4%	1.7%	2.3%
threatened to kick you out of the house	9.2%	2.1%	2.2%
threatened to leave you and take away your children	8.7%	2.1%	2.5%
threatened to kill you	4.7%	1.7%	0.8%
left you without food in order to punish you	2.2%	0.2%	1.1%

The most widespread and priority forms of psychological abuse are verbal insult, jealousy scenes, blaming women for moods, threatening, entering coalitions in order to pressure woman and etc. The vast majority of women experience criticism and complaints to some degree from their husbands in regards to almost every significant sphere. By the extent of their manifestation complaints create certain hierarchical system where two categories of complaints compose first 4 levels of the range.

Table # 28 Q. 31 In general, what was the reason f complaints or criticism of your husband and how often did it takes place.

	Overall indicators of cases	Often	Sometimes
Your relationship to him (you don't understand him, you don't take care of him)	49.8%	6.3%	14.2%
Your viewpoints	36.2%	3.8%	8.2%
Your relationship to his parents and relatives	35.2%	3.8%	7.6%
Your lifestyle	30.6%	3.8%	8.2%
Your parents and relatives	28.2%	4.4%	6.1%
Your cloths	26.3%	3.2%	6.6%
You intimate relationship with him	25.6%	3.9%	5.9%
Your friends	23.7%	2.5%	4.4%
Your appearance	22.7%	2.1%	6.1%
Your household work	22.5%	2.3%	3.2%
Your job (you waste your time and don't adequately take care of your family	21.0%	2.2%	3.9%

The most widespread and common are the complaints in terms of care for the husbands and special attention to his personality. The complaints about the relationships with close relatives of the husband belong to the same category. In parallel to this the criticism about the elements of women's personal independence – her viewpoints and lifestyle is also the apparent subject of criticism.

It is a fact that one of the common manifestation of psychological abuse lies in mechanisms of restriction by which the control of women and exercising of men's power are realized. The decision of obtained results on regards to exercising this type of abuse creates such configuration of restrictions system (see table # 29) where the most highly stressed mechanism is the restriction of women from social ties outside of family in addition to the control of women's activities (job related or other).

Separate and significant theme is sense of over possessiveness from the husband and emerged jealousy related abuse manifestations as a result (jealousy scenes, restriction to move freely and etc.) About 33-34% of women or every 3rd or 4th women is the subject of such pressure.

Table #29 Q. 32 In your case how often did your husband restrict you from

	Overall indicator of cases	Often	Seldom	It's hard to answer
the relationships with those people whom he doesn't like	55.4%	21.3%	17.7%	5.8%
restriction to leave the house alone due to jealousy	24.3%	6.2%	8.2%	12.6%
restriction to visit friends	22.1%	5.5%	6.0%	14.9%
restriction to work	21.4%	9.6%	6.3%	14.8%
restriction to engage in ordinary or in favorite activity	16.6%	3.4%	6.0%	16.3%
restriction to visit your parents and relatives	15.2%	4.2%	4.3%	15.3%
restriction to continue education	8.9%	6.1%	1.2%	17.3%

According to the confession of 1/3 of women they were objects of mistrust and control during different stages of their lives (see table #30).

Table # 30 Q. 16 When you are not at home is it true that your husband calls you often or come to make sure that you are there where you told him you would be.

	Percentage distribution
Yes this is definitely so	11.5%
It is somewhat true	13.8%
Used to be so but not now	9.4%
never	63.0%
It's hard to answer	2.3%

Every second woman almost never utilizes her free time according to her priorities and is factually imprisoned within daily routine (see table # 31).

Table # 31 Q. 17 If you have free time how often do you spend it according to your priorities, for example go to visit friends, relatives, or to the movies or café ?

	Percentage distribution
Very often	23.1%
Sometimes (once or twice a month)	25.4%
Seldom (once in couple month)	33.0%
Almost never	16.6%
It is hard to answer	1.9%

The main reason of such life according to the women is time constraint and the absence of a desire. The third reason of this is the opposition of the husband (see table # 32).

Table # 32 Q .18 Why seldom or never?

	Percentage of the whole sample	The percentage of those respondents who do not go to visit

		people
Husband is opposing me to leave the house	6.4%	14.2%
As a rule other family members do not give me this opportunity	1.4%	2.4%
I don't have time for this	27.5%	51.3%
I simply don't have desire to do so	12.7%	24.5%

These restrictions, limitations, and other stated or not stated psychological oppression is the reflection of those feelings of psychological discomfort that women experience in relationship to their husbands. At least minimum of ¼ of women during different periods of the relationship with their husbands has experienced some type of depressive feelings that pose threat to physical or emotional wellbeing. In general, the degree and spectrum of manifestation of negative emotional feelings can be discussed as an indicator of different forms of abuse experienced by the women. This theme – evaluation of personal emotional condition in regards to the relationship with the husbands-was of critical importance in terms of opening up the respondents. The discussion of intensity and the degree of manifestation of this or that feeling results into the following picture (see table # 33).

Table # 33 How often you experienced following feelings in the relationship with your husband?

	Overall indicator of the feeling	Often	Sometimes
The desire to be left alone or spend some time by yourself	65.1%	27.9%	31.8%
Tension	54.3%	16.6%	28.8%
Regret that you said something and worsened you condition	46.3%	8.6%	31.4%
Not being sure of yourself	41.5%	9.4%	26.9%
Fear and panic	39.5%	12.4%	18.6%
Sense of guilt	38.1%	5.8%	25.8%
Sense of being diminished	28.3%	7.8%	14.7%
Powerlessness	26.6%	7.8%	13.4%

The feelings on the top of the hierarchy system indicate the sense of discontent and the desire to come out of the current situation. More than the quarter of women experience constant dissatisfaction and boredom from everyday life. The significant percentage of women is under the condition of constant tension anxiety and fear, or under heavy stress. In the second part of the range are those also widespread feelings that breed auto aggression, low self-esteem and the sense of personal powerlessness. It is also important to pay attention to the feeling that besides creating non desirable emotional condition, directly on indirectly indicates the stringent relationship of the vast majority of women (almost half of the respondents) with their husbands. As a result they experience regret (often or sometimes) that they have worsened their condition due to defending their own position.

Regional specificities

Remarks that diminish personal value of women are more widespread and well framed in the regions. The most common targets of these sorts of remarks are the residents of Eastern Georgia. Only the third or a bit more of the residents of this region state that their husbands never made them feel they were incapable of decision making independently (33.5 % as opposed to 45 % and 46.3% in 2nd and 1st groups respectively), that they are nothing without their husbands and are unable to survive (39 % as opposed to 58.5% and 58.8 % in 1st and 2nd groups) Overall, these remarks are mostly manifested in the regions (“often” and “sometimes”-“are incapable of independent decision-making”-32.2%, 27.2%, 23.6%; “is nothing without her husband and will perish”-33.2%; 25.6% and 17.4% in 3rd, 2nd and 1st groups respectively).

Approximately analogous situation was discovered in terms of not valuing women’s aspirations and achievements. As above, this was more of a common character among Eastern Georgian Representatives whose larger percentage in relation to respondents in other groups has experienced this sort of feeling during their lifetime (“never”-29% as opposed to 43.8% and 38.9% in 1st and 2nd groups). They have previously experienced this feeling more frequently (19% as opposed to 10.4% and 6.2% in 1st and 2nd groups) and with comparatively higher intensity even now (“often” – 17.1% as opposed to 14.7% and 15.5% in 1st and 2nd groups). This is also illustrated by the mean indicator (3.36% as opposed to 3.46% and 3.41 in 1st and 2nd groups on the scale of 1 “often” to 5 “never”) that indicates the commonality of this feeling among the representatives of 3rd group. In comparison with Tbilisi more percentage of women in the regions state that their main objective of life is to secure the fulfillment of each and every desire of their husbands (“yes, definitely” and “somewhat yes” – 71.3% and 63.2% in 2nd and 3rd groups as opposed to 52.5% in the 1st group). In this respect Western Georgian representatives can be distinguished for the majority of whom this issue is “beyond doubt” (“yes, definitely” – 29.8% as opposed to 21.6% and 14.8% in 3rd and 1st groups). By the mean number general position of regional representatives (2.13% in the 2nd group and 2.36% in the 1st group) can be placed on the scale of 1 (“yes, definitely”) to 4 (“absolutely no”) and coincides with the position of “somewhat yes”. For Tbilisi residents this indicator constitutes 2.62% and is placed between two categories “somewhat true” and “more no than yes”. This position of regional representatives is highly dependent on the expectations of husbands (at least on husband’s expectations perceived by women). However, Tbilisi residents as well as the majority of regional representatives believe that husbands expect devotion and sacrifice. With regional groups this expectation was of more vivid and inclusive character (65.1% in the 1st group out of which 24.8% answers the question by “yes, definitely”; 83.3% in the second group out of which the position of “yes, definitely is shared by 42.2%; and 80.3% in the 3rd group, where 39.7% shares the position of “yes, definitely”). The mean number in 1st, 2nd and 3rd groups are 2.21%, 1.79% and 1.83% on the scale of 1 “yes, definitely to 4 “definitely no”.

Deriving from these expectations it is quite logical that the vast majority of regional representatives state that their husbands become angry when these expectations are not met. However, tendency of difference can still be noted between the two regions: The intensity of husband’s anger is more vividly manifested in Eastern Georgian group,

while the women of Western Georgia still tend to present the reality in a more brighter manner (36.8% in the 1st group out of which 14.1% state that this happens “as a rule”. In the 2nd group this percentage equals to 41.5% out of which 20.2% answers this question by the answer “yes, as a rule”. As for the 3rd group this percentage equals to 45.1% out of which 23.2% maintain the answer of “yes, as a rule”). In terms of the mean indicator overall position of regional representatives can be placed in the zone between 2 answers: “yes’ as a rule” and “most of the time” (2.71 and 2.61 in 2nd and 3rd groups). As for Tbilisi representatives their position coincides with the answer “sometimes” (the mean number of 2.94).

Based on the abovementioned it is not surprising that in comparison with Tbilisi residents more percentage of regional representatives state that they are afraid of husband’s anger (24.7% in Tbilisi out of which 7.6% gives the answer “definitely yeas”. 36.8% in the 2nd group out of which 11.2% state “definitely yes” and 38.7% out of which 15.5% indicate the abovementioned answer).

Openly manifested forms of psychological abuse with varying degree can be found in different regions. Based on these two basic trends can be framed:

1. The most widespread forms of psychological abuse – verbal insult, blaming of wife for bad mood or mistake and jealousy manifestations, as well as less common forms of psychological abuse are found with almost the same degree among the respondents of all three groups. However, in this case also Western Georgian indicators are lower in relation to other regions. The only exception is verbal insult, which is mostly common in the second group (“often” and “sometimes” – 45.7% as opposed to 42.6% and 40.3% in 1st and 3rd groups);
2. There are forms of abuse that are more intensely manifested in Eastern Georgia. These are “pressure or threat” in order to seek consent (“often” and “sometimes” – 15.5% as opposed to 10.2% and 9.7% in 1st and 3rd groups); “Diminishing remarks in front of family members and friends” (18.7% as opposed to 11.6% and 9.3% respectively); “Sexual intercourse for which woman is not ready” (16.%, 9.8% and 8.9% respectively); “Forcing such sexual activity, which was unacceptable for woman” (6.1% as opposed to 3.7% and 4.7%).

As for such forms of psychological abuse as complaints and criticism, each form of them are more widespread and displayed with higher intensity among Tbilisi respondents. Such difference between respective data is not found in only exceptional situations – in case of very rare (criticism about intimate side of relationship with husband, criticism about work) and the most widespread forms (criticism about the relationship with husband, criticism of not sufficiently caring about him and etc.). However, this difference is manifested even in the latter case, but with less intensity (“never” – 45.1% as opposed to 55.8% and 50.6% in 2nd and 3rd groups). In case of other targets of such complaints this difference is quite noticeable (from 7% to 20%). The most important difference between Tbilisi and regional data is discovered when the complaints are directed towards close social circle of either wife or husband (parents, friends, etc.). It should be noted that despite similarity of indicators of 2nd and 3rd groups the tendency of presenting socially desirable reality is still apparent among the representatives of Western Georgia.

Different trend were displayed in relation to restrictions as well. In this case the increased number of those respondents who avoided the answer illustrated it. The majority of these respondents are found among eastern Georgian residents and Tbilisi

residents, although with less degree in a latter case. This position of restraining from answer is manifested in every possible situation and covers from 21.9% to 32% in the 3rd group and 11.6% to 14.4% in the 1st group. As for the 2nd group this indicator is not largely different from data of other questions (3.5% - 4.7%).

Western Georgia dwellers, as a rule refuse to admit that this type of abuse is manifested toward them and consequently present the real picture in amore brighter colors. However, paradoxical situation was created as a result of larger percentage of avoiding answers. On the one hand, the percentage of manifestation of restrictions was lower in Eastern Georgia than among the respondents of Western Georgia. On the other hand, the indicator of denying this type of abuse are even lower in Western Georgian group (30% to 60% when in the 2nd group respective indicators are 72.1% to 83.3%) in comparison with Tbilisi respondents and data from the 2nd region. The same situation is exhibited in case of Tbilisi.

Negative feelings that result from relationship with husband are equally manifested in all groups. This is true of the intensity of feelings as well as of their manifestation scope. Consequently, the picture derived from the place of residence is not very different from the data of overall sample. However, one stable, but less intensely displayed tendency should still be noted. Concretely, in comparison with the representatives of other two groups more respondents of Eastern Georgia with more degree are subjects to these negative emotions. The only feeling which is manifested to a lesser extent is sense of being devalued. In case of representatives of western Georgia these feelings are quite widespread and not only manifest themselves to a lesser extent than in case of representatives of 1st group, but exceed respective indicators in Tbilisi and are quite similar to the data of 3rd region. These feelings are sense of guilt (mean indicator 3.17 on the scale 1 “often” to 4 “never” ; The mean indicator of 3.17 in the 2nd group and the mean indicator of 3.36 in the 1st group). Not being sure of oneself (the mean indicator of 3.14, 3.07 and 3.17 in 2nd, 3rd and 1st groups), fear and anxiety (3.19, 3.08 and 3.27 in 2nd, 3rd and 1st groups), helplessness and powerlessness (3.46, 3.32, 3.53 in 2nd 3rd and 1st groups), the desire to be left alone (2.42, 2.39 and 2.56 in 2nd, 3rd and 1st groups), Tbilisi residents, in comparison with 2nd group display three types of feelings more intensely, . These are “regret that raised voice and worsened the condition” (3.25, 2.79 and 3.14 in the 2nd, 3rd and 1st groups), sense ob being devalued (3.48, 3.2 and 3.36 in the 2nd, 3rd and 1st groups) and tension (2.89, 2.84 and 2.78 in 2nd, 3rd and 1st groups).

There are no significant differences in terms of spending free time between regional and Tbilisi residents (47% , 49.2% and 49.7% in 1st , 2nd and 3rd groups respectively use their free time “quite often” and “often”). The main reason of not using free time by other respondents is the lack of time and desire. In addition, in contrast to other 2 groups the motive of husband’s opposition in this case was more apparent among the representatives of 3rd group (19.6% as opposed to 12.7% and 13.1% in 1st and 2nd groups).

In parallel to this, the motive of jealousy and mistrust was less common and less intense among Eastern Georgia representatives (“never” – 70.3% as opposed to 59.7% in 1st and 2nd groups).

Age specificities

The following trends are exhibited with respect to psychological abuse:

- ✓ With age growth women less intensively claim that they have felt from the husband that they are capable of independent decision making (“often” and “sometimes” – 21.3%, 21.8%, and 21.3% in 1st, 2nd, and 3rd groups). They have previously felt this in case of 9.6%, 10.5%, and 14.8% in 1st, 2nd, and 3rd groups. With age growth it is less likely for women to feel that their aren’t valued and will perish without their husbands (36.4%, 33.9% and 30.3% in 1st, 2nd and 3rd groups). As women maintain they have previously felt this with larger extent (9.9%, 11.1% 15.6% in 1st, 2nd and 3rd groups);
- ✓ Representatives of all age groups equally feel that their husbands don’t adequately value their goals and achievements (the mean indicator of 3.4, 3.36, and 3.37 in the 1st, 2nd and 3rd groups). In all three groups there is larger percentage of those (60% to 64.7%) who state that their main goal became fulfillment of every desire and request of their husbands.
- ✓ With age growth there is larger percentage of those who think that their husbands expect the fulfillment of their every desire (72.4%, 75.4%, and 81.1% in 1st, 2nd, and 3rd groups). The most extreme position in this case is displayed by the elderly women (“yes, definitely” - 34.2%, 31.7% and 45.9% in 1st, 2nd and 3rd groups);
- ✓ At the same time the percentage of those who state that husbands become angry if their requests are not fulfilled and that they are afraid of husband’s anger (35.8%, 30.5% and 27.9% in 1st, 2nd and 3rd groups), decrease with age growth (42.0%, 40.5% and 36.9% in 1st, 2nd and 3rd groups);
- ✓ In case of younger respondents the manifestation of different types of threats and pressure are more common. Specifically, among 13 satiations of abuse, 7 cases are noted to have elements of different forms of abuse: threat or pressure in order to seek consent (the mean indicator on the scale of 1 “often” to 5 “never” – 4.22, 4.4, 4.34 in 1st, 2nd and 3rd groups); Diminishing remarks in front of family members and friends (the mean indicator 4.11, 4.28 and 4.28 respectively); Verbal insult in case of anger (3.04, 3.08 and 3.2); Being jealous without any reason (4.01, 4.14 and 4.31); taking the side of those who express criticism (14.19, 14.24 and 14.28); Threat to leave and take children (4.72, 4.8 and 4.88); Not giving money in order to punish (4.72, 4.79 and 4.83 respectively in 1st, 2nd and 3rd groups). No significant differences can be noticed in other cases.
- ✓ Analogous condition can be found with respect to restrictions out of 11 cases, 6 cases illustrate that criticism and complaints are largely exhibited. With age growth fewer respondents indicate the evidence of such cases. The majority of younger respondents are criticized for following aspects: the relationship with husband’s parents (the mean number on the scale of 1 “often” to 5 “never” – 2.17, 4.24 and 4.45 in 1st, 2nd and 3rd groups); Complaints about women’s parents (4.22, 4.38 and 4.59) and friends (4.37, 4.55 and 4.64). As well as about viewpoints (4.06, 4.17 and 4.3) and lifestyle (4.19, 4.28 and 4.35);
- ✓ All the possible cases of restriction are manifested in younger people. With age growth these restrictions are manifested less intensively;
- ✓ The degree of negative emotional feelings are quite equal in all age groups;
- ✓ With age growth the cases of women’s free moving and control decrease. This problem is highly stressed among young people (32.6% out of which 15.5% state

- that “this is definitely so”. 9.9% out of 22.4% feels the same way. 5.7% out of 14.7% in 1st, 2nd and 3rd groups maintain the truth of this statement);
- ✓ The sense of negative feelings are more common in all age groups;
 - ✓ In addition, with age growth use of free time according to ones desires decrease;
 - ✓ To express why they don’t utilize free time respondents note lack of time and desire. Besides the motive of husband’s opposition is widespread in this age group (20.5%, 12.6% and 10.5% in 1st, 2nd and 3rd groups);

Conclusions:

- It can be stated that the degree of manifestation of abuse in general (physical and other) is well reflected in the signs of psychological abuse;
- In terms of its manifestation psychological abuse is a large scale phenomenon and very multidimensional in its character: starting from jealousy, restrictions of social network, ending with such harsh and well-developed form as devaluing individual worth of a person.;
- For the majority of women this type of psychological pressure with its different forms of display constitutes an indivisible component of their life. This is the whole system of complaints, criticism, restrictions, requests and expectations (real and suspected by women) that aims to place woman in a certain position of limiting herself and her functions to family responsibilities, and is targeted towards her manipulation and exercising authority over her;
- In addition to open manifestations of psychological abuse (extreme scolding and restrictions) the types of well-shaped abuse are very common. These forms do not necessarily need verbal illustration; however they can still have quite destructive effect and aim to become control mechanism for women. These are constant indication of women’s helplessness, powerlessness, and personal deficiencies. Consequently, the majority of women, if not systematically, quite often become depressed and feel anxiety;
- It is symptomatic that different forms of psychological abuse (both in terms of intensity as well as in regards to its scope) are characterized by variations in regional specificities. Concretely, in Eastern Georgia, where according to the respondents other forms of abuse are more vividly manifested, the majority of psychological abuse types are also very common. This tendency is manifested in regards to open abuse types (threatening, devaluing, forcing sexual activity, anger, in case of unfulfilled requests, different forms of restrictions) as well as in terms of remarks that devalue personal worth and the intensity of manifestation of negative emotional feelings. In this respect, moderate picture is presented in Western Georgia;
- At this same time devotion to husband was of critical importance for the representative of both regions. These results into placing husband’s interests in the range of those issues that is of women’s critical importance. In any case such devotion from women is considered as a model and exemplary behavior;
- It is significant that in comparison with regional representatives, Tbilisi respondents frequently become objects of criticism and complaints specifically I

- regards to their social circle. This type of behavior intends to limit women's freedom of choice and isolate her from outside world;
- The highest degree of psychological abuse can be found in younger respondents, who are more subjected to the system of oppression and limitations. In this respect middle age and elderly women enjoy more freedom and independence. It seems that they have already experienced all these and as a result became stronger. But this suspicion, can be placed under doubt if we take into consideration emotional discomfort experienced by respondents of all generations and the condition that they see husband's service as the primary function of their life. The main mechanism of lessening pressure could be found in more fitting into husband's requests and voluntarily restricting personal freedom (this can be proved by the assumption of elderly women that husband's expect the fulfillment of their every request).

6. THE REASONS OF CONFLICT OF COUPLES

Conflicts are equally initiated by women (37.3%) as well as by their husbands (33.6%). According to some respondents conflict initiation from women's side is a result of husband's behavior (drinking, idleness etc.) and the responsibility of conflict should be laced upon the latter. Certain percentage of the respondents (10.8%) blames other family members for conflict initiations. These others are primarily children and older members of the family.

Reasons of conflicts and aggression between the couples could be grouped in three categories: conflicts related to woman, conflicts related to husbands, general conflict, or conflicts related to third party. In terms of frequency, these reasons can be illustrated as follows (see table # 34):

Table # 34 Q. # 19 What is the most frequent reason of conflict and aggression between you and you husband?

1. Reasons that are connected to woman or activities against her	Reported frequency of distribution
(3) Wives independence in her views	14.7%
(11.1) Spilling anger or irritation from others behaviors on wife	14.6%
(2) Non submissiveness of woman (talking back defending her position)	13.7%
(6.1) Jealousy	10.5%
(18) Different restrictions from husband (clothing, going out, friends and etc.)	10.3%
(23) Maltreatment from husband	9.35
(5) More attention to work and professional development rather than to family responsibilities	6.6%
(25) Devaluing wife in front of others	6.2%
(8) Unreasonable spending by wife	4.9%
(26) Husband's attempt to control wife's every step	4.7%
(14.1) Discontent about wife's friendships	4.0%

(15)Independent decision making by woman	3.8%
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2. Reasons that are connected to husband or activities against him	Reported frequency of distribution
(21.1)Frequent drinking of husband	23.8%
(7)Wife's complaints	17.1%
(17)Idleness of husband (unemployment, not helping in family chores)	14.8%
(20)More attention to work and professional development rather than to family responsibilities	12.8%
(29.1)Being drunk	12.2%
(29.2)Using drugs or being under the influence of drugs	8.4%
(11.2)Spilling anger or irritation from others behaviors on husband	8.1%
(14.2)Discontent of husband's friendships	6.9%
(19)Non fidelity of husband	6.8%
(31)The complete dependency of husband on the will and views of his parents	4.8%

3. General reasons or reasons related to the third party	Reported frequency of distribution
(30)Financial problems	34.5%
(22)Conflict without any specific reason	19.1%
(4)Problems of relationship with husband's parents	18.9%
(27)Disagreement about children's education and upbringing	12.55
(28)Interference of parents and relative in couple's relationships	12.2%
(12)Encouragement of conflict from others	7.6%
(16)Disappearance of love and feelings	4.1%

As it is obvious, in parallel with traditional factor of conflict emergence (financial, arguments with husband's parents and relatives) other widespread reasons of conflict include oppressive activities directed toward women. These reasons are presented in # 1 group. High degree of spreading of such issues as frequent drinking of husbands, conflicts about drug or alcohol abuse, should also be taken into consideration. In addition, as it became evident conflicts can also be initiated for a very minor reason or without any reason.

Regional specificities

Even though the distribution of the reason of conflict and aggression in different groups coincides with the results derived from overall sample it is still possible to discuss different tendencies that are well manifested. First of all, it is important to note differences among the data of different groups when it comes to the reasons related to women. The reasons of this category (with two exceptions) are more stressed among Tbilisi respondents are of least importance among Eastern Georgian representatives. This

difference is quite crucial in relation to the most widespread reason of this category (the third reason – 17.5%, 14.2% and 11.2% in 1st, 2nd and 3rd groups; (11.1) reason – 16.3%, 15.9% and 11.2%; (18) reason – 12.0%, 9.3% and 8.7%; (2) reason – 17%, 7.7% and 14% in 1st, 2nd and 3rd groups respectively). Reverse situation or such distribution where higher indicator is received among Eastern Georgian representatives in comparison to Tbilisi is takes place in relation to such reasons as “maltreatment from husband” (9.6%, 6.5% and 11.2% in 1st, 2nd and 3rd groups respectively) and “devaluing wife in front of others” (5.5%, 5.7% and 7.7% in 1st, 2nd and 3rd groups respectively).

No significant differences were noted in terms of the reasons of other categories. reasons related to men (husbands) are presented to equal degree in all groups ((17) reason – 15.8%, 12.2% and 15.7%; (29.1) reason – 3.1%, 2.4% and 3.5% in 1st, 2nd and 3rd groups respectively). However, there are some reasons that are manifested in particular intensity in different regions ((7) reason – 20.6%, 15.0% and 13.6%; (20) reason – 17.7%, 8.1% and 9.8%; (21.1) reason – 22.7%, 20.7% and 28%; (21.2) reason – 4.8%, 4.5% and 6.6% in 1st, 2nd and 3rd groups respectively).

The same can be stated about reasons of general character among which some are manifested by the same degree in different regions ((4) reason – 20.1%, 17.1% and 18.9%; (12) reason – 7.9%, 8.1% and 6.6%; (28) reason – 11.2%, 9.3% and 13.6% in 1st, 2nd and 3rd groups respectively). Some reasons prevail in this or that regions ((30) reason – 33.7%, 33.7% and 39.0%; (22) reason – 22%, 16.7% and 16.8% in 1st, 2nd and 3rd groups respectively). It is significant that regardless of reason category overall Tbilisi respondents are characterized with more frequency of reasons in comparison with the representatives of other groups.

The degree of stated conflict reasons in the regions is significantly dependent on who is the target of conflict. In Western as well as particularly in Eastern Georgia women’s personal characteristics are less said to be reasons of conflict initiation. This can be an attempt to avoid responsibility and defend oneself, but in reality this position indicates an attempt to justify husband’s behavior. Justification of personal position was more common among the representatives of Eastern Georgia. This is also illustrated by the fact that among them there is the least number of those women who name themselves as conflict initiators (32.9% as opposed to 39.5% and 38.9% in 2nd and 1st groups). Consequently, in this group there is more percentage of those women who blame conflict initiation on their husbands (35.2% as opposed to 32.2% and 33% in 2nd and 1st groups).

There is larger attempt to place conflict responsibility on other members of the family in both regions (12.6%, 12.4% in 3rd and 2nd groups as opposed to 8.8% in the 1st group).

Age specificities

With age growth there is raising percentage of those women who state that they re conflict initiators (35.8%, 38.1% and 37.7% in the 1st, 2nd and 3rd groups). The percentage of those who blame husband for conflict imitator increases with age growth as well (32.9%, 32.7, and 38.5% in 1st, 2nd, and 3rd groups). However, young people and the representatives of mid age group see other family members more responsible for conflict initiator (7.8%, 9.7%, and 5.7%).

As for conflict reasons, reasons related to women are more stressed in younger respondents while the representatives of elderly population highlight the reasons connected to husbands.

Conclusions

- Thus, couples' relationships, which experience pressure from economic situation and third party involvement escalates as a result of internal pressures among which the core importance is given to oppressive activities toward women;
- The most widespread reason of conflict directly related to women can be divided in two categories. The core of the first is women's independence and her ability to defend her interests. As for the second category here the reasons primarily lie in husbands' attempt to exercise control woman. To sum up reasons of both groups can be seen in women's struggle for independence
- It is important that regional differences were noted in relation to reasons connected to women. These reasons are more intense in Tbilisi and of least importance in the regions, especially in Eastern Georgia. More conservative attitudes of women could be the reason of this difference. It can be suspected that least value of reasons connected to women is the attempt to avoid the responsibility in the regions. This suspicion is not unreasonable since in the region that was least characterized by this trend men are more blamed for conflict initiation. This is different from those regions where opposite tendency was noted;
- The trend of general age specificities was also manifested in this case. Younger people highlight such conflict reasons that are directly connected to them and indicate more degree of abusive activities towards them.

7. VERBAL ABUSE

Among the forms of husband's dissatisfaction during conflict situations domineering types of verbal abuse are grumping and complaints (53.2%), yelling and scolding (31.9%). Physical abuse is quite seldom (11.1% beating, pushing and throwing things). Overall, diverse forms of expressing dissatisfaction by their frequency of their naming, creates the following hierarchy.

As we can see the degree of verbal abuse manifestations is quite high. The vast majority of the respondents (85.1%) have experienced this type of abuse. Among them more than the third were subjects to its extreme manifestations: threatening, shouting, and scolding. Other priority form of expressing dissatisfaction are "leaving the house and getting drunk". The forms of indirect aggression are widespread as well, when the anger is spilled over other family members or expressed by damaging things.

Table # 35 Q.# 20 Usually how is your husband's dissatisfaction expressed

	Percentage of overall sample	Cases
Grumping and complaining	37.0%	53.2%
Scolding and yelling	22.0%	31.9%
Isolation without saying anything	13.7%	19.7%

Leaving the house and getting drunk	8.3%	12.0%
Braking and damaging things	3.5%	5.1%
Pushing	3.4%	5.9%
Spilling his anger over other family members	3.2%	4.6%
Beating	2.9%	4.1%
Threatening to beat up	2.6%	3.7%
Throwing things at you	1.4%	2.1%

It is worthwhile to note that in analogous situations women also choose such priority forms of dissatisfaction which are employed by their husbands. The only difference is that the most widespread actions of verbal aggression manifestation are expressed by less degree among them (69.2% among which 23.2% yelling and scolding" as opposed to 85.1% and 31.9% in husband's cases respectively) on the expense of comparatively passive strategies of expressing aggression (27.5% as opposed to 19.7%). This is also proved by the alternatives given in the answers of "other" category, the majority of which expresses passive actions (crying, silence, doesn't express dissatisfaction or is unable to express dissatisfaction, pretends as if nothing happened, thinks about divorce). It is known that this type of reactions is symptomatic to the victims of abuse. Women in comparison with men are less prone to express indirect aggression (3.7% as opposed to 9.7%) however, it is important to mention that the objects of their aggression are primarily the children. As for physical aggression their displays are less common among women (1.5% as opposed to 11.1% among men).

As the data suggest every 7th woman experiences physical or verbal abuse from husband during pregnancy period. Certain percentage of these women has been the subject of this form of abuse multiple times (see table # 34).

Such insult resulted into very grave consequence for those women who had this kind of experience – "miscarriage" (3.8%), "forced abortion" (0.7%), "psychological trauma" (12.3%) and "divorce" (2.6%).

Table # 36 Q. # 31 Were there the incidents of verbal or physical insult from your husband during your pregnancy?

	Percentage distribution
Yes, systematically	1.7%
Couple times	5.1%
Once	7.6%
Never	79.7%
I was never pregnant	3.7%
Avoided the answer	0.1%

Table # 37 Q. 42 What were the consequences of this insult?

	Percentage distribution
Temporary isolation (e.g. left the house)	26.3%
Separation	2.6%
Miscarriage	3.8%
Everything continued as usual	28.3%
This incident never repeated	21.2%
Had abortion according to doctor's advice since	

the fetus was damaged	0.7%
Had long term psychological trauma	12.3%
avoided the answer	0.6%

According to the statement of the certain percentage of respondents (5.7%) as a result of open or hidden forcing from others they had to have an abortion. This forcing was primarily derived from women' husbands (43.6%) or husband's parents (30.9%). The leading reasons of forced abortion were: lack of desire to have more children (32.1%), economic difficulties (26.8%) and tense situation in the family (25.0%). Additional but less common reason is undesirable gender of the child (8.9%).

Regional specificities

Every form of husbands dissatisfaction coincided with the priorities named in the overall sample. In parallel with this each form of expressing dissatisfaction was less frequently named in Western Georgia regions in comparison with other two groups. This is true as of the manifestations of verbal aggression (yelling and scolding – 34.2%, 22.5%, and 35.7%, grumping and complaints – 56.4%, 47.5% and 53.2% in 1st, 2nd, and 3rd groups), as well as of extreme forms – "threatening to physically insult (4.4%, 1.6%, 4.4%) and beating (4.7%, 1.2%, 5.7% in 1st, 2nd and 3rd groups). In contrast to this, isolative types of behavior were more common in Western Georgia (isolation without saying anything – 19.2%, 24.2%, 16.8%, leaving house and returning drunk – 11%, 11.9%, 13.5 in 1st, and 2nd and 3rd groups). together with such manifestations of physical aggression as pushing (4.4%, 5.3%, 5.1% in 1st, 2nd and 3rd groups), throwing things (2.8%, 2.0%, 0.7%), braking things (4.9%, 5.7%, 4.7% in 1st, 2ns and 3rd groups respectively).

As for the dissatisfaction expressed by females the position of Eastern Georgian representatives is worthwhile to note. They, in comparison with other groups less frequently mention the expression of verbal aggression and place more emphases on the reactions that characterize the victims of violence and more employ strategies of isolation (spilling irritation over others, saying nothing, avoiding anger expression and etc.).

In comparison with regional representatives, Tbilisi residents are more prone to express verbal aggression (yelling and scolding – 26.7%, 20.25, 20.8%, grumping and complaints – 50.2%, 46.8%, 39.8% in the 1st, 2nd and 3rd groups) As for region dwellers, isolation strategies (25.5%, 27.4%, 30.4%) and spilling anger over others (1.9%, 2.4%, 3.5) are more widespread tactics among them.

The cases of physical and verbal insult among pregnant women are noted in all three groups. However, Eastern Georgia was leading in terms of its intensity and the scope of spreading (percentage distribution of cases – 21.3%, 14.4%, 14.6% among which systematically or couple times – 9.6%, 5.9%, 5.4% in 3rd, 2nd and 1st groups respectively). In all three groups women victims of such abuse utilize temporary isolation behavior model (34%, 14.4%, 26% in 1sst, 2nd and 3d groups) or continue living lives as if nothing happened (23%, 26.5%, 34% in 1st, 2nd and 3rd groups).

Age specificities

Several differences were noted in different age groups in terms of priority forms of expressing dissatisfaction among men. Specifically, if young people and mid age representatives more frequently use verbal forms of dissatisfaction expressing (grumping and complaints – 51.9%, 55.4%, and 47.9%, yelling and scolding – 32.4%, 31.8% and 29.1%, leaving house and returning drunk – 12.4%, 12.4% and 6.8% in 1st, 2nd and 3rd groups respectively) elderly people are more likely to use such forms of physical and verbal abuse as beating (7.7% as opposed to 4.1% and 3.35 in 1st and 2nd groups) threatening to beat up (5.1% as opposed to 3.8%, 3.3% in 1st and 2nd groups) in addition to such form of dissatisfaction as isolation without saying anything (29.1% as opposed to 17.6% and 19.1% in 1st and 2nd groups). In contrast with this such form of physical aggression as pushing is more common in 1st and 2nd groups (94.75, 5.5%, 2.6% in 1st, 2nd and 3rd groups) in addition to "throwing things" among young people (3%, 1.4%, 1.4% in 1st, 2nd and 3rd groups). Besides, first group is characterized by such forms of indirect aggression as braking things (7.4%, 3.9%, 2.6% in 1st, 2nd and 3rd groups respectively) and spilling anger over other family members (6%, 4.1%, 2.6% in 1st, 2nd and 3rd groups).

As for the forms of dissatisfaction expression by women and the degree of their manifestation in this sense behavior patterns noted in all three groups were quite similar in terms of frequency of their manifestation.

There is more percentage of those in younger group who indicate that they were victims of physical and verbal insult by their husbands during pregnancy. However, systematic and frequent incidence indicator of such cases are similar in all three groups (17.15, among which "systematically" and "couple times" – 7.75, 12.9% 6.%; 12.3% among which 7.4% respectively in 1st, 2nd and 3rd groups). In terms of consequences of such results the same picture is noted in all three groups and coincides with the results of overall sample.

In all age groups there is equal percentage of those women who were forced to terminate pregnancy. Among young people there is slightly higher percentage of those who indicate that this forced termination was initiated from husband (30.65, 23.45, and 16.9%).

Conclusions

- In terms of its scope and diversity open forms of verbal and physical abuse cases are quite impressive. in parallel with direct aggressive actions and verbal abuse against women (the targets objects of which have been the vast majority of the respondents) different forms of oppression and pressure that create emotional discomfort are very unlikely to occur;
- Women have even become objects of physical and verbal abuse during their pregnancy. Moreover, some of them have terminated pregnancy as a result of pressure from husband or family members. It is important that even in such cases of extreme abuse the main strategy of women lies into coping and avoiding reaction to the situation;
- It is worthwhile to note tat in addition to most widespread tactic of expressing dissatisfaction – verbal aggression, around 15-19% of women are characterized by

- common reactions of victims (passive awaiting till situation resolves itself, not noticing the importance of what happens, crying, trying to provoke pity in the abuser and etc.);
- The expression of dissatisfaction from males is characterized by regional specificities which is expressed in different frequency of manifestations of various forms of abuse in different regions;
 - Besides, following regional specificities deserve important attention: the representatives of Western Georgia try to place less emphasis on the actions of men and in this attempt almost forget to paint better picture of them. Contrary trend is noted in Eastern Georgia: they in comparison with Tbilisi representatives as well place more emphasis on incidence of physical abuse and extreme forms of verbal insult against them. They try to frame hard situation where man employ violent actions and at the same time try to appear as less aggressive. Consequently, reactions that characterize victims are more common among them.
 - Expression of the dissatisfaction by females is not characterized by certain age specificities and generally occurs through verbal aggression types or diverse passive strategies. The part of these passive strategies are very ordinary for victims of abuse;
 - Even though elderly respondents in comparison with other group least indicate expressions of verbal aggression against them, they if not more are not less become the objects of heavy physical insult;

8. PHYSICAL ABUSE AND THE DEGREE OF ITS SPREAD

Every 4th or 5th women (22.2%) admits that they have experienced physical abuse. For 5.2% of women this experience was very frequent.

Table #38 Q. 37 How often was it that your husband/partner physically insulted you or attempted to physically insult?⁹

	Percentage distribution
Attempted couple times but never did it	6.5%
Once or twice	11.4%
Multiple times	5.2%
It took place previously but not now	5.6%
It never took place	70.5%

Physical insult is generally manifested by hitting (14.3% of overall sample and 65.5% of cases) or beating (5.0% and 23.3% respectively). However, the types of physical insult appear to be very diverse (see table # 39).

Table #39 Q 38 If physical abuse took place what were the forms of its manifestation?

⁹ In case of this question and question #40 only the data of those respondents who indicated about employing abuse, are taken into consideration.

	Percentage of overall sample	Cases
One time hitting	14.3%	66.5%
Beating	5.0%	23.3%
Suffocating	0.2%	0.9%
Employing cold weapon	0.2%	0.9%
Tying up	0.2%	0.9%
Beating with other objects	0.2%	0.9%
Pulling by hair	0.3%	1.4%
Other answer	1.1%	5.1%
avoided answer	0.4%	1.9%

In addition to this the category of "other answers" provides us with such forms of physical abuse as "throwing things" – 0.3%, "tearing cloths" – 0.2%, here it is appropriate to note the deviation that was noted in case of data that derived from naming of beating cases in previous question and between those indicators. It is possible that it was result of the context of a question, but it is still likely to be the consequence the degree of honesty in relation to this painful question. Consequently, since it is very difficult to avoid directly posed question the resulted answer s more likely to be close to the reality.

Significant percentage of the respondents (42.8%) indicates that physical abuse incidents exist in the circle of their friends and acquaintances.

Table # 40 Q. 39 In the circle if your close friend and acquaintances were there incidents of physical insult from husband’s side?

	Distribution
Yes	42.8%
No	44.7%
Don't know	11.8%

In relation to acquaintances, among the two widespread forms of abuse beating is the most common one (61.5 %, or 27.5 % of the overall selection as opposed to 33% of one time hitting or 13.9% of the overall selection). It is significant to note the situation that the degree of manifestations of other forms of physical abuse almost coincides with the analogous indicator derived directly from the respondents (see table #41). In addition, the answers given in "other" category coincide with the same forms of abuse- "throwing things" and "breaking". All the above mentioned makes us think that these answers are reflective of the situation of the respondents.

Table #41 Q.40 If your acquaintances were subject of physical abuse, what were the forms of its manifestation?

	Percentage of overall sample	Cases
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One time hitting	13.9%	33.0%
Beating	27.2%	61.5%
Suffocating	0.3%	0.7%
Using cold weapons	0.5%	1.2%
Tying up	0.1%	0.2%
Beating with other objects	0.4%	0.9%
Pulling with hair	0.5%	1.2%
Other answers	1.3%	2.1%
Avoided answer	0.1%	0.1%

In order to protect herself from physical abuse, every 7th or 8th woman has considered the necessity of police intervention (13.1%). However, only very small percentage has in reality implemented it (1.8% among which 1.4% multiple times). Large percentage of those respondents who needed policy interventions and didn't refer to them has found themselves in this situation many times (22.7%). Even though it was necessary the reasons why the respondents did not refer to the police were found quite diverse, among which prevail such motives as mistrust of police and fear and shame of husband. The detailed list of motives is as follows:

1. Was afraid of husband (0.7%) – to avoid irritation and further complications;
2. Didn't trust the police (0.5%) - didn't expect to receive real help from them;
3. Was ashamed (0.3%);
4. Restrained herself in order to preserve family (0.3%) – I am the wife and should tolerate this;
5. Didn't consider appropriate (0.2%) – whatever happens in the family should stay in the family;
6. Husband didn't allow this (0.1%)

Every twelfth women (8.4%) required medical help after fights with husband. However, like previous case only small percentage sought such help in reality (2.7% out of which 1% multiple times). Among those who needed medical help but didn't seek it every sixths or seventh women (14.5%) experienced this quite frequently. Not seeking medical help is explained by the shame or avoidance to make the event public (0.5%). One more additional reason of this is the fear of husband (0.3%).

Regional specificities

In relation to physical abuse almost the same regional specificities were noted as in case of verbal and psychological abuse. Of course, these specificities are about the scope and manifestation intensity of abuse in different groups. As it was expected among the respondents of third group was comparatively larger percentage of those who have experienced physical abuse from husbands. In comparison to Tbilisi respondents in both regions there was larger percentage of those who have experience the abuse multiple times (25.1% among which 6.1% - "multiple times"; 20.5% among which 5.4% multiple times; 21.1% among which 4.2% multiple times in 3rd , 2nd and 1st groups respectively). There is more percentage of those in the region who have been threatened by beating (7.4%, 7.4% and 5.3% in 3rd, 2nd and 1st group respectively).

As for the types of physical insult all of them are common for Tbilisi respondents. In this respect, the abuse manifestation forms in Eastern Georgia were also found to be diverse. However, among them the most frequent are one time hitting cases (18.1, 11.6%, 13.4 in 3rd, 2nd and 1st groups). Alongside with that the cases of beating are equal in all groups (5.6%, 4.3% and 4.8% in 1st, 2nd and 3rd groups respectively).

In comparison with other regions among Tbilisi respondents there is more percentage of those who indicate about the incidence of abuse in the close circle of acquaintances (47%, 40.3% and 39% in 1st, 2nd and 3rd groups respectively). In all three groups in relation to circle of acquaintances the most common physical abuse forms are beating (65.1%, 53.3% and 63% in 1st, 2nd and 3rd groups respectively). However, as usual, socially desirable picture is painted among Western Georgian representatives on the expense of the most frequently named one time hitting (29.1%, 37.6% and 29.8% in 1st, 2nd and 3rd groups). The cases of referral to the police and seeking medical help are equally low in all regions.

Age specificities

Trends of physical abuse generally coincide with central direction within the prism of age specificities. Specifically:

- In comparison with other age groups, there is less percentage of young people who indicate that they have never been the subject of physical abuse from husband's side (66%, 71.2%, 80.3% in 1st, 2nd and 3rd groups);
- Among young people there is the most percentage of those respondents who indicate that they have been the object of physical abuse – beginning from threats to beat up (7.8%, 6%, 4.4%) ending with multiple incidents of physical abuse (5.9%, 4.6%, 4.9%; "once or twice" – 13.4%, 11.3%, 6.6%; "took place earlier" – 6.1%, 6%, 2.5% in 1st, 2nd and 3rd groups);
- On the background of the indicators of beating noted in other groups (4.0%, 5.8%, 4.9%), one time hitting cases are more common among young people (19.5, 12.7%, 5.7% in 1st, 2nd and 3rd groups);
- Young people also mention wide spectrum of abuse types that are more comprehensive than abuse types listed by the people of other ages;
- There is more percentage of those among young people who mention the existence of abuse in their close circle of acquaintances (45.7%, 40.9% and 41.8% in 1st, 2nd and 3rd groups);
- In youth group there is more number of those who have found themselves in the situation where police interference was necessary (14.2%, 12.5% and 12.2% in 1st, 2nd and 3rd groups).

Conclusions

- The objects of physical abuse were at least 1/5 of the respondents among whom every fourth woman – multiple times. The priority forms of physical forms manifestation are one time hitting and beating;
- There is a stable group of women who indicate they are constant objects of physical abuse. This group, unlike those women who have experienced one time

- physical insult, require immediate attention and help¹⁰. As it became clear, this group of women constitutes at least 5% that, if calculated on adult women population of Georgia, indicates that nowadays minimum of 75-85000 women are constant objects of physical abuse (this number will grow if the calculation covers only those who are in married relationship at the moment);
- Alongside with this it can be suspected that this number is far lower than the real one if we take into consideration the fact that every 7th or 8th woman felt the necessity of police interference in order to protect herself from abuse. Moreover, certain percentage of women has sought police interference multiple times (the indicator of 1.4% incorporates a minimum of 1500 woman in itself);
 - The existence of much more victims of abuse is illustrated by the indicator derived from indirectly posed second question, according to which every 11th women needed medical help as a result of abusive situations;
 - Only smallest percentage of those women who need professional, help seek the assistance of the police and medical services. Typical reasons for this is a shame of neighbors and relatives avoidance to attract attention or fear;
 - The indication of physical abuse incidents in circle of acquaintances and stating that this primarily takes the form of beating reflects respondents' reality to some degree. This doubt is proved by a number of parallels that are noted in terms of assessing physical abuse events in own family and in the circle of acquaintances;
 - In terms of place of residence it is difficult to estimate where do the cases abuse mostly prevail. Due to the fact that the cases of abuse are spread in every region with the only exception that one form of abuse prevails in one region while others are characterized with different forms;
 - based on the abovementioned, the following trend scan be noted:
 1. Beating cases are equally spread in all tree groups;
 2. The scope of physical abuse is much larger in Eastern Georgia;
 3. In comparison to Tbilisi Physical abuse manifestations are more likely to repeat in regions;
 4. The forms of physical abuse manifestation are more diverse in Tbilisi;
 5. In comparison to regional representatives, Tbilisi respondents mention larger scope of abuse in the circle of their acquaintances;
 6. Among two most common forms of abuse - beating and one time hitting, the latter was named more frequently in relation to their own selves while beating is common in relation to the circle of acquaintances.
 - In terms of age specificities the sole tendency is worthwhile to note – younger people appear to be the most vulnerable group who are frequently subjected to abuse or who realize the importance of this phenomenon and admit its existence.

9. WOMEN'S BEHAVIOR STRATEGIES IN THE SITUATIONS OF CONFLICT AND ABUSE

¹⁰ This is proved by interviewer's notes where it is indicated that some respondents were asking for help or advice who could help them.

Results of the following thematic section are very interesting both in terms of the issue as well as with regards to the aspect that it permits to generalize arguments about conflict situations and the degree of abuse spreading. The latter point deserves particular attention for it allows us to present more precise and realistic picture of the scope of abuse.

With very little exceptions (1.8%), every respondent has found herself in conflict situations with husbands. It is important to note that actions of women after conflict situations reflect typical behavior of domestic violence victims: Not "noticing" that something happened after spontaneous anger (32.0%) and submission, "trying really hard to behave in a way not to provoke and irritate husband" (30.8%). Comparatively smaller number of the respondents tries to state their point of view about what happened by not talking to the husband (24.0%) or temporarily moving out (3.9%)

However, in the manifested spectrum of behavior it is not unlikely to come across the cases of "spilling anger over others" after the argument or confrontation. The questions that attempted to study this subject proved that almost half of the respondents (48.8%) , after the insult of husband, spreads the anger over children. The significant number of these women employs this strategy quite often. Moreover, for every fifth or sixth respondent this type of behavior is a norm.

Table #42 Q.35 After the conflict with your husband, you, as a rule

	Percentage distribution
Try even harder not to irritate husband	30.8%
Temporarily live with your parents or other apartment (with a friend, or renting)	3.9%
Try to do nothing, just stop communication with your husband for couple days	24.2%
Express anger spontaneously but afterwards behave as if nothing happened	32.0%
Get irritated and spill this irritation over others	4.0%
Seek help from others	0.4%
Other answer	1.8%

Table #43 Q. 36 Were there cases when insulted from husband you spread your anger on the children (beat or punished them) and afterwards regretted your behavior?

	Percentage distribution
Yes as a rule	6.1%
Mostly yes	11.9%
Sometimes	14.3%
Seldom	16.4%
Never	47.2%

The percentage distribution of the indicators of priority strategies used by women after the cases of heavy physical and verbal insult also indicates the high degree of abuse spread. As it became clear, only 28.8% of the respondents has not experienced heavy physical or verbal insult from husbands' side while the majority of women clearly

experienced this type of abusive situations. This is indicated by the distribution of response actions by women in these situations.

The majority of women employ the strategy of silence and waiting, or isolation from the abuser (37.3 %). This type of behavior –passive reception of abuse, as well as the attempt of provoking pity of the abuser, on the background of minimal action steps to seek external help, is nothing more than the classical model of violence victims’ behavior. Certain number of women (7.7%) employs active forms of self-defense-physical or verbal confrontation of the abuser. More than the third of women (36.6%) prefer stepping back to regulate conflict. 5.2% of women are forced to step back from the husband. Mutual stepping back is implemented by less than the half of families (46.6%)

Table #44 Q.43 As a rule, how do you behave after verbal or physical insult from your husband’s side?

	Percentage distribution
Do not say anything and wait till your husband calms down	25.4%
Try to isolate in another room	11.9%
Run away from the house	2.8%
Cry and try to provoke pity	7.2%
Try to calm him down	5.3%
Call others for help	0.4%
Confront him verbally	6.8%
Confront him physically	0.9%
This kind of situation never takes place	28.0%

Table #45 Q.22 As a rule, how are the conflicts between you and your husband regulated?

	Percentage of the overall sample	Cases
You step back	31.6%	36.6%
Your husband steps back	15.4%	17.9%
Your husband makes you agree with him/step back	4.5%	5.2%
You make your husband agree with you/step back	1.3%	1.5%
Both try to step back	39.9%	46.6%
With the interference of those family members who you respect	5.2%	6.0%
With pressure from the side of other family members	0.3%	0.4%

It is significant to note leading strategies of women during possible conflict situations. To avoid husband’s anger, the vast majority of women (63.5%) in the process of defending her crucial interests, makes a major step back (56.3%), or simply rejects them (7.2%). Only the third of women (36.3%) tries to defend her interests.

Table #46 Q.30 (1) While defending your crucial interests, if you feel that you made your husband angry, you

	Percentage distribution
Make an important step back	56.3%
Completely reject your interests	7.2%
Try to defend your interests	36.3%

Only half of the respondents actively confront criticism and complaints from husband's side. Others prefer usual reactions of oppression victims: unexpressed irritation, submissively taking criticism, or behaving as if nothing happened. (see table #45)

Table #47 Q.30 (2) If your husband criticizes you or complains, you:

	Percentage distribution
You don't pay attention to this criticism or complaints	15.3%
You get irritated but don't express your irritation	22.0%
You get irritated and express your protest	49.7%
You submissively take this criticism	10.9%

Regional specificities

In comparison with regional respondents, women from Tbilisi try harder to defend their interests (38.9%, 32.9% and 35.5% in 1st, 2nd and 3rd groups respectively) The least initiative in this regard is expressed by Western Georgian respondents, who tend to reject their interests quite often while this kind of strategy is least popular among Eastern Georgian respondents (7.6%, 7.8% and 6.1% in 1st, 2nd and 3rd groups respectively).

Taking complaints passively is characterizing strategy for the respondents of both regions ("gets irritated but doesn't express irritation"-25.6%, 25.5% as opposed to 17.6% in 2nd, 3rd and 1 groups; "takes complaints submissively"-11.2%, 11.9%, and 10% in 2nd, 3rd and 1st groups respectively) consequently, if more than the half of the respondents manage to express their position and emotions (54.9%), this indicator is lesser in the regions (43% and 47.7% in 2nd and 3rd groups)

With regard to priority strategies of women during conflict situations, regional specificities became apparent on the background of the overall sample. Specifically, the leading model of Eastern Georgian respondents is the typical strategy of abuse victims-"trying even harder not to irritate husband" (39.4% as opposed to 26.6% and 27.5% in first and second groups). For the representatives of other two groups "behaving as if nothing happened" is a priority strategy (that is especially typical for the 2nd group: 34.9%; 31.9%; 29.4% in 2nd, 1st and 3rd groups) together with such form of passive protest as "quitting to speak for couple days (25.2%, 25.2%, and 21.9% in 1st, 2nd and 3rd groups). It is important to note that among the respondents of the 3rd group is the highest percentage of those who admit that in the majority of cases, after husband's insult they tend to scapegoat children (23.8% as opposed to 15.3% and 15.9% in 1st and 2nd groups). However, to compensate own powerlessness, the above mentioned strategy is employed by more than the half of women from each group ("This never took place"-48.8%, 50.4% and 41.9% in 1st, 2nd and 3rd groups respectively). This form of reaction to violence is widespread in each region.

In comparison to Tbilisi, tactics of passively coping with violence and staying silent were of more priority in the regions (19.9%, 28.3%, 30.3% in 1st, 2nd and 3rd groups respectively) Generally, this strategy of isolation, silence and passiveness is a

characterizing trait of Eastern Georgian group ("isolation in another room"-10.2%, 12.4%, and 14.5% in 1st, 2nd and 3rd groups). Moreover, the cases of various forms of abuse are the most common for the representatives of Eastern Georgian group ("This situation never takes place"-20.3%, 25.2%, and 37% in 3rd, 2nd and 1st groups)

Stepping back from women's side during conflict situations was more preferable strategy in the regions. This is especially true for Eastern Georgian respondents (32.0%, 37.6%, and 43% in 1st, 2nd and 3rd groups). The logical continuation of the above mentioned is a case when mutual stepping back is least popular strategy in Eastern Georgia (46.5%, 51.4%, 42.7% in 1st, 2nd and 3rd groups) and especially stepping back from husband's side (20.3%, 19.2%, 13.6% in 1st, 2nd and 3rd groups respectively)

In this context, Tbilisi representatives appear to stand more equal with men: there is the least number of those among them who step back. There are more cases of stepping back from husband's side or mutual stepping back.

Age specificities

With regard to women's strategies during conflict situations with husbands, the following trends became apparent:

- With age growth there is increase in such behavior patterns as "trying even harder not to irritate husband". Consequently, this becomes leading strategy of elderly respondents. (26.5%, 32.3%, 37.7% in 1st, 2nd and 3rd groups). On the contrary, the form of passive protest, "staying silent" is less popular strategy among them
- In contrast with other age groups, among young people there is more percentage of those who spill their irritation over others. (5.6%, 2.8%, and 4.4%). In addition, among them there is more percentage of those who admit that they tend to scapegoat children in this type of situations ("as a rule", "mostly", and "sometimes"-36.9%, 31%, 25.4%)
- In younger age group, there is least percentage of those who state that they have never been subject to heavy physical or verbal abuse from husband's side (26.5%, 27.2%, 32% in 1st, 2nd and 3rd groups)
- With age growth, passively coping with violence and isolation strategy percentage increases. ("Staying silent and waiting"-21.7%, 27.4%, 27.9% , "isolation in the other room"-11.5%, 12.1%, 13.1%, "running away from the house"-2.7%, 2.4%, 4.9%)
- Very limited number of cases of seeking external help, identified in this research, was only found among the respondents of younger age group (1.0%)
- The strategy of provoking pity of the abuser is the most widespread among the respondents of younger age group (9.1%, 6.3%, 4.9%). At the same time, there is higher percentage of those who actively confront (primarily verbally) the abuser (9.1%, 6.2%, 4.1%)
- Younger people tend to defend their interests more actively.(38.5%, 35.7%, 32.0% in 1st, 2nd and 3rd groups) and in comparison with other groups are less likely to make significant step backs (53.7%, 57.9%, 57.4%). In addition, in the elderly age group, there is more percentage of those who completely reject their interests (7.5%, 6.2%, and 10.7%)
- With age growth there is a tendency to try not to pay attention to the criticism and complaints expressed towards them (11.8%, 15.7%, 25.4%), express protest to

- lesser degree (55.3%, 49.6%, 32.0%) and often tend to submissively take complaints (9.4%, 10.5%, 17.2% in 1st, 2nd and 3rd groups)
- Among the priority ways to regulate conflict are "mutual stepping back" in each group (47.6%, 46.6% and 43.4% in 1st, 2nd and 3rd groups) and "stepping back" from women's side which is very common among young and mid age respondents (36.4%, 38.4%, 32% in 1st, 2nd and 3rd groups). The representatives of elderly generation, who tend to present the real picture in brighter colors, indicate more cases of "stepping back" from men's side. (23%, 17.1%, 17.4% in 3rd, 2nd and 1st groups)

Conclusion

- The majority of the respondents not only had conflict situations with husbands, but experienced heavy physical or verbal insult from their side
- During conflicts or arguments and the situations of heavy insult from husband's side the priority strategies used by the majority of women were behavior models characterizing the victims of violence: staying "calm", behaving as if nothing happened, passively receiving aggression, isolation and not seeking external help
- It can be stated that these behavior patterns take the form of usual reaction in women's everyday lives. In any case, in those situations that imply defending personal value and worth in relation to husband, the decisive majority of women (more than the half) choose such methods of action which at the best are expressed by passive defense and at the worst in symptomatic reactions of victims.
- One of the typical reactions of the victims of abuse-spilling the anger over the weaker ones, is very destructive in terms of its consequences for it not only creates the other victim but gives birth to the potential abuser who will possibly use abusive behavior in own family. As it was found, it is quite common to spill anger, irritation and heartbreak over own children.
- Two widespread tactics of regulating arguments were found: mutual stepping back or woman's stepping back during conflict resolution
- Overall, as compared to Tbilisi respondents, the position of staying silent and passively coping with violence was characterizing trait of regional representatives. At the same time, if for Western Georgians it is typical to voluntarily give up self-interest, Eastern Georgians are more prone to use strategies of oppression victims-"scapegoat children" or "trying even harder not to irritate husband".
- It can be stated that this deviation between regional indicators can be explained by the perception of violence and the degree of its realization, rather than by the real picture.
- Moreover, if the representatives of the elderly generation demonstrate more patterns of submissive wife and behavior models that characterize violence victims, the younger respondents show more personal strengths and tend to have better understanding of abusive situations. Thus, they try to defend own interests and confront the abuser.

10. SEXUAL ABUSE

Among the forms of husband's and wife's relationship sexual life is one of the most tabooed **spheres**. It has more taboo when it becomes paired up with abuse. In consideration with the above mentioned, the picture derived from the confession of more than the quarter of the respondents (25.5%), seems quite unexpected. According to their statements, during joint life they had the experience of forced sexual contact from husband's side. For every eight women, this form of contact happens quite often (4.0%) or from time to time (7.9%). Certain percentage of women (7.7%) according to their statement, were forced to have such sexual activity that was unacceptable for them. (See table #48)

Table #48 Q. 27 During your joint life, were there cases when your husband:

	Overall indicator of cases	Often	Sometimes
Forced you to the sexual activity for which you were not ready at the moment	25.5%	4.0%	7.9%
Forced you to the sexual activity that was unacceptable for you	7.7%	1.0%	3.7%

It is significant to note the position of women with regard to forced sexual contact from husbands'side. Almost half of the respondents (46.3% out of which 15.3% with the high degree of assurance) states that the woman should agree on sexual contact if the husband desires to do so. (See table #49)

Table #49 Q.28 To what degree do you share the argument that if the husband desires sexual contact, it is preferable for woman to agree, even if she doesn't want to do this at the moment?

	Distribution
Completely agree	15.3%
More agree than disagree	31.0%
More disagree than agree	31.7%
Completely disagree	20.3%

Thus, for this percentage of women husband's desire is viewed as a priority and forcing sexual activity should not be taken as abuse. To partially prove this, we can pay attention to the situation that more women find themselves in the position of forced sexual contact than it was indicated by the above mentioned results. Specifically, the overwhelming majority of women (74.2%) according to their statements, contrary to their desire, has agreed to have sexual contact with husband for this or that reason. Only the fourth of the respondents indicate (24.7%) that they have never experienced forced sexual contact situations (See table #50) It is possible that this significant deviation is the reflection of the same trend as it was manifested with regard to other direct or indirect questions about abuse.

One of the primary reasons of agreeing to forced sexual contact can be found in the desire to avoid husband's anger which includes the fear of husband's possible reaction in case of the refusal. It is worthwhile to note that the same motivation is implied by the category of "other answer" and the word "fear" becomes quite crucial here: "fear of becoming irritated, angry", etc. As it is clear by the results of the table, the forced agreement of the certain percentage of women derived from threatening or using force.

Table #50 Q. 29 Were there cases when you agreed to have sexual contact with your husband/partner contrary to your desire and what was the reason of this?

you didn't want to make him angry	55.5%
He used force	1.2%
He made you agree by threatening	1.3%
You pitied him	12.8%
He beat you	0.1%
Other answer	3.2%
This never took place	24.7%

Regional specificities

There is more percentage of those among Eastern Georgians, who admit that was the object of sexual abuse from husband's side. (q. 27.3, q.27.4). Specifically, based on derived results, forced cases of sexual activity is more common among them and they acquire repeated character. ("often" or "from time to time"-16.5% as opposed to 8.9% and 9.8% in 2nd and 1st groups; "never"-70.6% , 74% and 77.1% in 3rd, 2nd or 1st groups) Forcing women to unacceptable sexual activity is also widespread (6.1%, 4.7%, 3.7% in 3rd, 2nd and 1st groups)

More degree of popularity of "good woman's" stereotype in Western Georgia, the central axis of which lies in emphasizing submissiveness and agreement with husband, was also evident in terms of sexual relationship context. Concretely, among Western Georgian women there is the highest percentage of those who think that wife should agree to sexual contact with the husband even if she doesn't have the desire to do so. The women of this position constitute the majority of the respondents from the second group, out of whom almost half share this opinion with rest assurance. (55.4%, out of which "completely agree"-21.7%; 43.6% out of which 14.2%; 42.4% out of which 12.3% in second, third and first groups respectively)

With regard to this trend, among the motifs of forcefully agreeing to sexual contact (q.27) the moment of pity is dominant with Western Georgian women (16.3%, 12.9%, 10.9% in second, third, and 1st groups) while the other motives are equally presented in each group. It is significant to note that Western Georgian women have the lowest indicator of not agreeing to forced sexual contact (20.9%, 25.8%, 26.4% in second, third and first groups)

Age specificities

Among the elderly respondents, there is more percentage of those who agree that women should agree to sexual contact with the husband regardless of her desire (44.4%, 45.5%, 54.1% in 1st, 2nd and 3rd groups). Conversely, in comparison with other age group representatives, there is less percentage of those among young people who share

this position with high degree of assurance (12.6%, 17.3% and 15.6%) and more percentage of those who drastically oppose the above mentioned (22.2%, 20.6% and 15.6%)

The main reason of agreeing to forced sexual contact -"avoiding husband's anger" is demonstrated with equal degree in each age group. However, with the respondents of the elderly aged group there are more cases of stating husband's threat as one of the significant reasons (1.1%, 0.4% and 1.6% in 1st, 2nd and 3rd groups)

Conclusions

- Forcing sexual contact is quite widespread phenomenon. At least the fourth of the respondents had been the objects of this kind of abuse. Every 12th or 13th woman was forced to have the sexual activity which was unacceptable for her.
- In addition, it is worthwhile to note the situation that through indirect questions more cases of forced sexual contact are discovered and they are not perceived as the cases of forcing by the victims. This last doubt is confirmed by women's statement that this type of behavior is acceptable.
- The leading reason of agreeing to forced sexual contact is the fear to irritate husband or provoke his anger
- We have to mention not a small number of those cases when sexual intercourse happened by threatening or using force- calculating derived 2.5 % on the adult women population we get the result of 35-40 000 women throughout Georgia.
- Certain regional specificities become apparent with regard to sexual abuse and they are reflective of one of the stable trends of this research. Concretely, in regards to sexual abuse the situation is much more harder in Western Georgia, as compared to other two groups and especially Eastern Georgia
- At the same time, the dissonance of differences between Eastern and Western Georgian indicators makes those differences doubtful. As it became evident, the indicator of not refusing to forced sexual contact is the lowest among Western Georgian representatives in comparison with the respondents of other two groups. Here there is the highest percentage of those who find this type of behavior acceptable and give the reason of "pitying the husband" as the primary explanatory purpose of own behavior. In other words, deviations among the two regions are due to perception and feeling level. Consequently, this deviation can be attributed to the degree of perceiving violence and openly talking about it rather than to the real situation.
- Even though no significant age specificities were determined, in terms of sexual abuse younger respondents were more prone to resist if not the real forcing but the stereotype of a "good wife".

11. PERCEPTIONS AND VIEWS ABOUT DOMESTIC VIOLENCE

First of all, it is important to mention that almost the third of the women (31.5%), during the period of joint life considered divorce that indicates about crisis situations in women's lives.

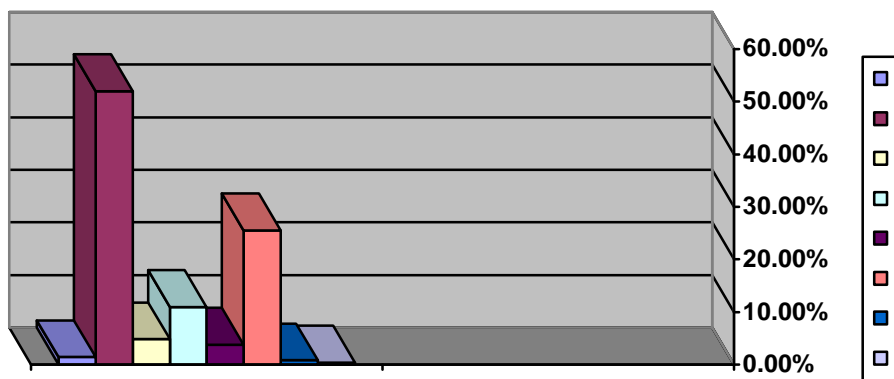
It is interesting to estimate those core motives that didn't allow women to divorce their husbands even when it was necessary. As it became evident, for the decisive

majority of women (87.8%) the primary reason of not seeking divorce is related to children, the perspective of bringing them up without the father (65.1%) and securing economic well being with own resources (21.7%). After significant gap, the other motives also follow the primary reasons: these are love of the husband (33.9%), fear of independent life (10.7%) and loneliness (10.8%). For certain number of women (23.6%) public opinion that derives from their microcosm or larger society, is also an important factor to be taken into consideration (see table #51)

In this context it is also significant to find out women’s position with regard to the issue of what can be the mechanism of escaping husband’s constant physical or verbal abuse. More than the third of the respondents (36.4%) placed the whole responsibility on women in resolving this issue. According to their opinion, woman should be the one to deal with the situation and resolve the relationship with her husband (it is interesting how this is possible if she is the permanent object of physical or verbal insult) or cope with permanent abuse (10.9%), which is undermining factor of women’s well being and for her family as a whole. Contrary to this position, there is another extreme resolution, divorce, preferred by second part of women respondents (See table #52)

Table 52 Q.50 How do you think, when husband constantly physically insults wife or scolds her using dirty language, what should wife do?

	Distribution
Refer to the court or the police	1.4%
Divorce the husband	52.0%
Involve relatives	4.8%
Cope with it	10.9%
Refer to the psychologist to regulate conflict with the husband	3.8%
Try to regulate conflict with the husband/partner herself	25.5%
Physically insult husband and thus protect herself	0.8%
Physically or verbally confront the husband	0.4%



As we can see, the alternative forms of regulating such situation, even involving the third party (specialized agency, specialist or relative) are quite unpopular. Resisting violence from woman’s side proved to be even less popular than the above mentioned.

Thus, derived data indicate about the existence of one central trend-coping with or resolving family violence from woman's side through every possible means should take place inside the family and by using family resources. The proof of this position also lies in the answer to the following question: the vast majority of the respondents takes the position that "whatever happens in the family should resolve itself within the family". Consequently, comparatively less number of the respondents finds the involvement of the specialized services in eradicating violence against women appropriate. Even lesser number of the respondents finds it relevant to attract societal attention to family violence towards wives. (See table #53)

Table #53 Q.56 If possible, indicate which opinion do you share the most?

	Distribution
Violence against wives should become the subject of societal discussion	11,4%
Law enforcement agencies should get involved in regulating this problems	3,3%
Regulation of this problem should be the responsibility of social service agencies	19,1%
No matter what, whatever happens in the family, should stay within family	64,2 %

The above mentioned position of the respondents is not the one to be unexpected. It is the reflection of an unwritten law that obligates people to "care about the preservation of family reputation", or "family morale". This position could be understandable, if the scope of family violence was not such a widespread phenomenon, as it was proved by the answers of the respondents.

Table #54 Q. 55 How do you think, against whom is the violence most frequently committed?

	Percentage of the overall sample	Cases
Against wife from husband's side	43.7%	89.3%
Against husband from wife's side	5.3%	10.7%
Against own father from husband's side	3.5%	7.1%
Against own mother from husband's side	3.6%	7.3%
Against own father from wife's side	0.7%	1.3%
Against own mother from wife's side	1.0%	1.9%
Against father in law (wife's father)	1.9%	3.9%
Against mother in law (wife's mother)	3.9%	6.7%
Against father in law (husband's father)	2.4%	4.9%
Against mother in law (husband's mother)	4.7%	9.5%
Against the son from father's side	5.1%	10.4%
Against the daughter from father' side	4.6%	9.4%
Against the son from mother's side	2.2%	4.4%
Against the daughter from mother's side	1.9%	3.9%
Against son in law	3.6%	7.3%
Against daughter in law	9.3%	18.9%

According to the opinion of the majority (q.54), the cases of family violence are quite common (73.1% out of which 19.3% states that it happens very often) and this violence is most frequently directed from husband to the wife (89.3%). It is also significant that the objects of men's violence very often become their sons (10.4%) and daughters (9.4%). The indicators of traditional conflict between mother in law and daughter in law are quite modest in comparison to the indicators of violence directed against women.

Moreover, it is also interesting to find out what do the women imply under the term "family violence"¹¹. The vast majority of women understands violence as physical insult and beating. Overall, frequency distribution of naming different forms of abuse were as follows:

Table #55 Q. 53 To your opinion, what can be qualified as family violence?

	Distribution
Physical insult, beating	89.1%
Devaluing personal worth	55.6%
Verbal insult (scolding)	41.1%
Sexual contact	35.7%
Threatening to punish	32.4%
Limiting freedom (relationships, clothing, behavior control)	32.3%
Permanent criticism and remarks	28.9%
Stealing woman in order to get married to her	20.2%
Limiting freedom of expressing own opinion	16.0%
Financial control	14.9%

It is not difficult to notice that in regards to its physical manifestations the position towards physical abuse is uniform. In terms of other forms of violence, the diversity of opinions is more evident. Beginning from more generic form of violence, such as "devaluing personal worth" the position of the respondents acquires diverse character. "Stealing brides", "expressing own opinion" and "financial control" are those forms of violence that are least qualified as forms of abuse by the respondents.

The opinions and standpoint of women about the issues of family violence create a system in which certain confrontations emerge only about the opinions concerning non-private methods of dealing with abuse. More concretely, the majority of the respondents consider that "woman should be more modest and try not to provoke violence" (90.6% out of which 57.8% shares this opinion without any doubt). It is up to woman, her sensibility, whether she becomes a victim of abuse or not (71.1% and 55.9% respectively). It is the woman who should be blamed if she was hit, and she should think why this happened to her. If conflicts emerge, woman should step back (76.7% and 33.4% respectively). Besides, wife and family members should tolerate everything from the drunk (65.2% and 32.7% respectively). In addition, the significant percentage of the

¹¹ Two significant conditions should be noted: 1. The respective question was one of the final ones in the questionnaire and it is more likely that after working on the questions regarding various forms of abuse the respondents had better understanding of this subject. 2. The number of answers were not limited.

respondents considers that some women deserve to be beaten. (44.3%, out of which 24.4 % shares this opinion without any doubt)

Table #56

Opinions	Completely agree	More agree than disagree	More disagree	Completely disagree
In case of the argument between the couple, wife should step back	33.4%	43.0%	16.6%	6.2%
Woman should have more control on herself and be more wise not to provoke violence from the husband	57.8%	32.8%	6.3%	2.5%
Smart woman will never let the husband to hit her	55.9%	15.8%	16.6%	11.2%
Even though beating is not appropriate, some women deserve it	24.4%	20.3%	24.7%	29.7%
If the husband beat the wife, she should think what has she done wrong	27.4%	27.8%	19.4%	24.1%
If the husband beat the woman, it is their private business and nobody should interfere	38.2%	21.9%	24.3%	14.3%
Beating wife is delinquent behavior and should be punished by law	40.1%	30.7%	19.4%	8.1%
If the husband beat the wife, it is better for woman to notify the police	9.3%	21.2%	46.1%	21.2%
When the husband is angry it is better for him to spill the anger over his wife	9.1%	11.2%	19.6%	59.3%
When the man is drunk, his wife and family members should tolerate everything from him	32.7%	32.5%	14.6%	19.3%

Thus, the relations towards the arguments presented here create homogenous system of opinions that is the combination of self-punishment, self-sacrifice and sense of guilt and carries the strong impulse of discriminatory relationship towards women in itself. At the same time we should note those confrontations that are evident in analyzing the opinions about direct abusive situations. There is lesser number of those who are for placing responsibility on women's shoulders when it comes to the cases of physical insult. But if there is the slightest motif to justify abuse, the majority of women share orthodox point of view. This can be well illustrated by the relation towards two similar opinions: "If the man is drunk, he has the right to be tolerated", according to the majority of the respondents. But if the same man is angry, only the minority of the respondents (20.3%) thinks that "it is better if he spills his anger over his wife" Comparatively smaller percentage of women is for the opinion that "some women deserve to be beaten" (44,

3%), but this percentage increases when there is even slight, illusory chance of blaming woman: "Woman should think of what she has done wrong". Or it is possible that woman is guilty and in this case her beating can be justified.

There is confrontational, even mutually exclusive opinions regarding combating violence through legal methods. It appears that the majority of women share the opinion that "beating wife is a legal offence and should be punished by the law". But this position is only a declaration without any meaning in its character since in parallel with this there is almost the same percentage of those who come against "woman's addressing legal structures when she is physically punished" since they consider that this is the private business of the couple and doesn't require external interference.

The correlation analysis of the data proved the above mentioned trends. There are two unequal groups of closely interconnected opinions. Except of two inconsistent opinions, the rest positively correlate and create conservative, more precisely stereotypically patriarchal nucleus of opinions in which every element is absolutely mutually replaceable. The other two opinions (concerning combating abuse through legal means) correlate positively among one another and negatively or not at all correlate with the remaining eight opinions. It is significant to mention that the multiplicity of negative relations (except two) is noted in regards to the statement, according to which "Beating wife is a legal offence and should be punished by the law".

A very interesting relationship is noted between this system of opinion and different indicators of the respondents, such as social-demographic as well as in regards to the degree of relation towards abuse manifestation. Specifically, it became evident that the more satisfied is the woman with family life the more she tends to share all conservative opinions and disagree with so called two inconsistent views. At the same time, possessing own income and the degree of its quantity is negatively correlated with the degree of receptiveness of stereotypical opinions. The same can be stated in terms of general level of economic well being-the higher the level of economic well being, the lesser is the receptiveness of stereotypical opinions.

In addition, the following, consistent relations can be noted:

- If the respondents are more prone to resolve private issues, protect their interests and do not consider fulfilling each and every desire of the husband as the guiding principle of life, the less they share stereotypical statements
- The more they share negative emotions, the less they tend to be receptive towards these statements
- At the same time, the more they deny the cases of criticism, threat, forcing and complaints, the more they are inclined to agree with stereotypical opinions and disagree with so called inconsistent opinions
- Thus, several different groups of women with quite consistent worldview are created.

REGIONAL SPECIFICITIES

In every created group, the same number of women, almost the third have been in the situations, when they thought about the divorce. Slight differences were found in the group of Western Georgian representatives who as it was expected tried to present the

real picture in brighter colors (have thought about the divorce-33.6%, 26%, 33.5% in 1st, 2nd and third groups respectively)

The main motive of not divorcing the husband-caring about the future of children is more explicit among the representatives of regions. (60.9%, 66.4% and 70% in 1st, 2nd and 3rd groups respectively) On the other hand, the second important motive of not divorcing the husband-love is least significant among region dwellers in relation to Tbilisi representatives. (39.1%, 32.0% and 27.9%) As it was expected, the representatives of Western Georgia were more sensitive towards societal opinion (6.6%, 11.6%, 11.4%) and "judgmental attitude towards divorced women" (15%, 18.8%, 15.8%). At the same time the representatives of Tbilisi and Eastern Georgia are the most afraid of "independent life" (12.9%, 6%, 11.4%) and economic hardships (24.1%, 14.0%, 24.6% in 1st, 2nd and 3rd groups)

Divorce as a way of confronting abuse found the most supporters in Tbilisi (61.1% as opposed to 42.7% and 47.1% in 2nd and 3rd groups) while the priority strategy among the region dwellers was placing the responsibility upon the woman who is responsible of regulating the relationship with her husband herself (27.5%, 26.5%, 23.4% in 2nd, 3rd and 1st groups). Moreover, among the representatives of regions, the main strategy in this situation should be "coping" (16.8%, 14% and 4.4% in 3rd, 2nd and 1st groups). It is symptomatic that those that are for coping are the representatives of such groups that are characterized by the higher degree of abuse spreading.

The majority of the respondents from all three groups consider that the cases of family violence in Georgia are "quite common" and "common", however the representatives of Western Georgia tend to be more moderate in this case as well. (76.9%, 66.7%, 73.6% in 1st, 2nd and 3rd groups)

On the background that the majority of the respondents of all three groups consider wife as a main object of family violence (92.5%, 84.7%, 88.4% in 1st, 2nd and 3rd group), certain differences are noted in terms of the frequency of naming of other family violence objects. Specifically, Tbilisi respondents are more prone to name father's abuse towards his son (16%, 4.8%, 7.3% respectively) and towards daughter (15.3%, 3.2%, 6.3% in 1st, 2nd and 3rd groups) in addition to man's violence towards his parents (towards father 10.6%, 5.6%, and 3.3% and towards mother 10.6%, 6.5% and 3.3% in 1st, 2nd and 3rd groups respectively), wife's abuse towards husband (12%, 10.5%, 9.2% in 1st, 2nd and 3rd groups), parents abuse towards daughter in law (22.8%, 17.2%, 14.9%) and towards son in law (10.6%, 3.2%, 5.9%). The representatives of Western Georgia do not display traditional moderate approach and more frequently name the abuse of mother in law (11.3%, 13.3% and 4.0% in 1st, 2nd and 3rd groups)

In terms of the priority ways of confronting violence against women the same trends were displayed in all three groups as in the overall sample. In addition, some differences are noted in terms of selecting the degree of priorities. In comparison to Tbilisi, among regional representatives there is more percentage of those who think that this problem should be solved inside the family (56.5%, 69%, 70.6% in 1st, 2nd and 3rd groups). "Involving designated organs in this case" tends to be less popular among them (25.5%, 15.5%, 13.2% in 1st, 2nd and 3rd groups). The least supporters of "publicizing this problem" are among the representatives of Western Georgia (12.7%, 8.9%, 12.3% in 1st, 2nd and 3rd groups respectively).

In comparison to regional representatives, Tbilisi respondents can better identify the forms of violence. This can be illustrated by the fact that physical insult-beating which is universally qualified as a form of abuse, is not considered as such by a large group, especially in Western Georgia. (94.4%, 80.7%, and 87.8% in 1st, 2nd and 3rd groups). Even less percentage of the respondents considers "diminishing personal value" (64.1%, 51.6%, 46.7% in 1st, 2nd and 3rd groups), "verbal insult" (49.5%, 31.1%, 37.5%), "threatening to punish" (40.3%, 21.3%, 30.6%), "constant criticism and remarks" (34.7%, 22.4%, 26%) as forms of abuse. As for the other forms, their identification degree is equally low in all three groups)

The stable differences were noted in terms of evaluating the relations and opinions towards family violence. More specifically, these differences are framed between Tbilisi and regional representatives in regards to the degree of receptiveness of various statements. As a rule, region dwellers display more rigid conservative position that is demonstrated by more receptivity towards stereotypical opinions about women in abusive situations. It is significant to mention more degree of orthodoxy in Eastern Georgian respondents even in comparison to the residents of Western Georgia. The above mentioned position deserves more attention since the more degree of abuse in this region was estimated based on the data derived from this group of the respondents.

AGE SPECIFICITIES

With age growth, the percentage of those decreases who state that there were moments when they thought of divorcing (34.2%, 31.2%, 25.4%)

In terms of confronting violence the following trends were displayed:

- There is more percentage of those in mid-age group who prefer more radical way-divorce (49.2%, 55.6%, 45.1% in 1st, 2nd and 3rd groups). In addition, there are less supporters of tolerating wife (11.5%, 7.9%, 19.7% in 1st, 2nd and 3rd groups)
- Among young people, in comparison to other age groups, there is more percentage of those who place the responsibility on woman (28.6%, 23.4%, 23.8%)
- Among the elderly, there are more supporters of the statement that family violence should be resolved inside the family (63.9%, 61.9%, 73.8% in 1st, 2nd and 3rd groups). Other alternative ways are more popular among the representatives of mid-age and to a certain extent among young people ("Should be the matter of wider discussion "-9.4%, 14.1%, 8.2%; "With the assistance of legal or specialized organs"-20.9%, 18.8%, 14.8 % in 1st, 2nd and 3rd groups)

In all three groups, there is equally high percentage of those who consider that family violence as a common phenomenon in Georgia (74.8%, 72.5%, 71.3%)

The only permanent object of violence named by the respondents of all three groups, is the wife (89.4%, 89.9%, 86.3% in 1st, 2nd and 3rd groups respectively)

Among the basic motives of not "divorcing the husband even if it became necessary" the main one is "the perspective of bringing up children without the father" in the representatives of the elderly age group (76.5% as opposed to 65.2% and 61.3 % in 2nd and 1st groups). In comparison to the younger age group, for the representatives of other two groups "unfavorable societal opinion about divorced women" is of more importance (22.7%, 18.75%, 10.7% in 3rd, 2nd and 1st groups respectively). At the same

time, young people are the most afraid of independent life (14%, 9.2%, 6.7% in 1st, 2nd and 3rd groups respectively)

In comparison to younger respondents, mid-age and older representatives can better identify different forms of abuse (such as "verbal insult"-35.3%, 44.5%, 44.6%; "threatening to punish"-28.3%, 34.1%, 38%; "constant criticism"-25.3%, 30.7%, 32.2%; "financial control"-12.8%, 16.4%, 15.7%; "restraining freedom"-29.6%, 34.3%, 32.2% in 1st, 2nd and 3rd groups respectively). The only exception where slight differences were manifested was forced sexual contact (37.5%, 34.9%, 33.1% in 1st, 2nd and 3rd groups)

With age growth the degree of adhering to stereotypical values increases. In the evaluation of these types of opinions, young people manifest more liberal view. The same position becomes evident in respect with the alternative views (resolving family violence by legal means). However, this trend is less vivid in this case.

CONCLUSIONS

In spite of ignorance to this problem, the women representing this region alike the respondents from the western Georgian, who make every effort to maintain "image of the family" and therefore make less gloomy picture, are being put under the onus for prevention or elimination of any acts of violence.

- ▲ The approach of the youth regarding measures against violence is varying. They put the victims under responsibility of settling any problem on the one hand, however on the other hand they acknowledge the necessity of involvement of external units. This approach seems even more contrastive with the background of general tendency according to which the youth generally is more sensitive to violence, they have high quality of acknowledgement and recognition of this problem and are marked by more liberal views.
- ▲ Instead, the representatives of the older generation are unanimously concentrating on the image of "good wives" which means more patience, solving the problems within families and less intervention of external agents.

Major Findings

- ▲ One of the most wide-spread forms of family violence and pressure is restriction on decision:
 - Majority of women are either voluntarily or forcefully deprived the right to make those decision which are directly connected to them;
 - well over the third of the women do not practice equality while solving family problems with their spouses.
 - This problem is especially acute in the regions and with the young respondents
- ▲ Absence of own source of income and distraction from economical resources is one of the determinants of women's vulnerability towards family violence. Almost more than half of the women are distracted from these recourses one of its reasons are directly or indirectly connected to the housework and their spouses' requirements.

- professional activities are considered as the source of additional income and not the means of realizing personality
- young respondents acutely perceive the problem of absence of their own financial resources and they are the once who partially destroy of stereotypes of the priority of housework to work

Approximately the third of the respondents have found themselves in the situations when they thought about divorce

- Among the reasons which according to the respondents, justify the decision to stay with the husband even in case of the necessity of divorce, are thoughts about children's future, fear of economic hardships and social opinion, fear of independent life and love of the husband.

In spite of ignorance to this problem, the women representing this region alike the respondents from the western Georgian, who make every effort to maintain "image of the family" and therefore make less gloomy picture, are being put under the onus for prevention or elimination of any acts of violence.

- ▲ The approach of the youth regarding measures against violence is varying. They put the victims under responsibility of settling any problem on the one hand, however on the other hand they acknowledge the necessity of involvement of external units. This approach seems even more contrastive with the background of general tendency according to which the youth generally is more sensitive to violence, they have high quality of acknowledgement and recognition of this problem and are marked by more liberal views.
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-
- According to the majority of the respondents the scale of family violence is quite impressive and thought provoking and the only object of it is a woman. On this background it is more frightening that women think family violence should be private issue.
 - Family violence is closely connected with using physical force and to a certain extent with personal insult and diminishing personal value. At the same time such forms of abuse as verbal insult, limiting freedom, forced sexual contact, stealing brides and financial restrictions are not viewed as forms of abuse by the majority of women.
 - The system of women's opinions about couple's conflict and family violence is built around one central axis-placing major responsibility upon woman and in this respect creates quite a rigid, internally negotiated and harmonious entity.
 - This system of opinions is characterized by traditional patriarchal worldview and demonstrated by scapegoat women in evolving as well as resolving conflicting situations. The only way of avoiding abuse is found in coping and stepping back from woman's side.

DOMESTIC VIOLENCE AND LEGAL SYSTEM

Ketevan Jeladze – Lawyer, Expert

Nino Kakalia – Lawyer, Interviewer

The Questionnaire was compiled by Ketevan Jeladze. 100 respondents (50 from the Public prosecutor's office and 50 persons from Ministry of Internal Affairs) were interviewed.

Short summary of primary activities

The survey aimed to find out the attitude of law enforcement employees towards the domestic violence and types of problems aroused while investigating of domestic violence cases. The respondents included representatives of legal systems such as police departments and public prosecutor's offices, where police officers, inspectors, leading officials and prosecutors who are assigned the supervision functions of general prosecutor's office. The respondents were interviewed according to the questionnaire providing the questions of legal aspects (See attachment 1). The information obtained has been processed and the legal analysis has been carried out.

Since the aim of the survey was to underline the professional attitude to and function of law enforcement officers in regard with the domestic violence, its investigation and prevention, we find it necessary to work to the grassroot level on the methods of communication with them.

The survey targeted not only the high rank officials of the law enforcement organs but also district and lower rank services. Therefore we find it necessary to officially inform them on the survey using the higher rank officials.

Georgian prosecutor's office which belongs to the Georgian government is a separate unit was also within the focus of our survey together with the police services.

According to the Georgian legislation, the major responsibility of the Public Prosecutor's Office is to protect the human rights as well as to discuss severe and especially severe criminal cases which tend to happen at some point of development of domestic violence acts.

Both organs learnt about the aim of the survey in details based on the specifics of law enforcement organs.

Our acknowledgements go to the both of the organs, Georgian Ministry of Internal Affairs and Georgian Prosecutor's Office for their help and support.

Process of the Interview

The process of interviewing started from the 5 police district departments located on the territory of Tbilisi. The initial notification on the interviews by the Ministry of Internal Affairs of Georgia had been previously delivered so that the staff of all the five departments were informed on the interviews one week ahead.

The heads of the police departments were the first to interview in order to select those employees who had been assigned to react to family problems, take the preliminary measures, carry out initial investigation on the cases of domestic violence.

Following problems were raised during the process of interviews with the police officers: the majority of them treated the questions given with mistrust and uneasiness. The majority of the questions were of legal character and naturally they required not only practical aspects but also theoretical knowledge which any police officer should have.

The term "domestic violence" often tended to cause ambiguity and therefore the expression "crimes committed in the families" were used to stand for the domestic violence with the emphasis on the crimes in families against women and children.

Analysis of Information obtained as a result of the interviews

Question: Which type of crime do you come across with most frequently in the families?

The part of the respondents pointed out the private prosecution cases such as battering and intended minor health damage while the rest of them underlined that in their practice they most frequently encounter with the health damages which cover the most widespread health risks – battering and torture.

Judging from the precinct inspectors' experience the facts of battering happen in every tenth family; however it is often difficult to state who is the victim of the battering.

Therefore, based on the police officers' statements working in the organs under the competence of Ministry of Internal Affairs the crimes of health damages occur most frequently battering being the most widespread. As declared by the respondents, the initiation of criminal proceedings on this kind of crimes is solely dependent upon the victim's wish according to the criminal procedure code which means that if a victim can not file a case for some reasons, the police officer being on the crime scene can not initiate the case on his own decision.

(As provided by the Article 27 of the Criminal Procedure Code a criminal case on the acts of battering can only be initiated by a victim)

Question – while investigating the domestic violence acts you encounter any problems and if yes, please indicate exactly what kind of problems they are.

The opinions and viewpoint expressed herein were quite interesting most interesting among them being the evaluation of a victim's behavior underlined by the respondents of almost all the police departments involved in the survey. The issue concerns with the variability (instability) of victims' attitude toward the acts of violence committed against them (it is noteworthy that those crimes which are considered as minor contrary to those of rape and murder attempt are being dealt here).

A victim repeatedly changes her opinion and attitude towards a villain during primary research and investigation. As pointed out by the police officers the victim in her explanatory letter insists on punishment of a villain and indicates the previous acts of aggression committed by him. However, after a while the victim's commitment weakens. Domestic violence victims tend to change the circumstances previously indicated in their explanatory letter to the Police.

The major impediment while carrying out the primary investigation is collecting evidence, double-check of the facts and revealing those factors that give cause to file a criminal case. For instance, medical examination of a victim is a financial problem (medical examination is the major prove of the act of battering). It is noteworthy that primary medical examination on the police referral is free of charge, but normally to assess the degree of the injury complete medical check is required which can not be covered by the state budget and therefore the case might lack the important evidence such as medical conclusion.

Second largest barrier while proceeding the investigation is the absence of witness institute. The observation of comparatively elderly policemen is a fun in way:

For example: during soviet union's time at least every third citizen had at least once been a witness in a court on his/her own will to testify for the given criminal act, especially for the domestic violence acts. As for nowadays, no neighbor or relative wants to meddle into the family affairs. As a rule, while investigating the domestic violence acts all of the neighbors prefer to pretend deaf and numb. This attitude tends to destruct all the possibility of the proof of criminal act occurrence. Without evidence and witness's testimony it is difficult and sometimes unreasonable to initiate the criminal case proceedings based solely on the victim's explanatory note.

Question – how often do you have cases when plaintiff leads the cases till the end after a case is filed on the fact of battering.

According to the respondents' explanation these cases fall under the category of private prosecution and initiation of criminal case proceedings is possible only upon the victim's initiative as provided by the second part of Article 27 of Criminal Procedure Code. The termination is possible upon reconciliation of plaintiff and a villain in the council room before the court hearing.

A female victim seldom files the complaint on the act of battering. However, if a case is going to be filed an investigator provides her with the information and explains both

parties the possibility of reconciliation resulting in the termination of the proceeding. They believe that reconciliation and preservation of a family is a unilaterally beneficial.

As the police officers say they often have had the cases of reconciliation during the primary investigation. None of the respondents could recollect the cases when the cases of domestic violence continued until its reasonable end.

As provided by the Criminal Procedures Code battering and minor health damage is subject to the court discussion (we asked to be provided with such cases from the very beginning, namely those parts of the cases which bore the public character for instance a decision on the criminal case initiation. However, because of the fact that battering belongs to the private prosecution cases, often there is no investigation and the case together with a victim's complaint is sent directly to the court).

As pointed out by the respondents battering is the most frequent and the least severely punishable crime. According to the police officers' practice in this regard, women often react to the facts of battering with silence trying to avoid publicity. However, there are families where the facts of battering bear systematic character and disturbed neighbors often call the police. The kind of families are mainly those with the problems of alcohol abuse.

Question – Who notifies the police most frequently on the fact of family crimes? (victim herself, other member of the family, neighbor or a batterer himself)

Various answers were given none of them being unexpected. The police rarely receive information from a villain. Based on the statistics the person/persons who most frequently declare to the police on the facts of domestic violence is victim.

Question – Who do you think most frequently provokes the crime among the members of the family?

The part of the respondents indicated that Georgian Legislation does not consider "provocation" as a punishable act, as for encouragement it is deemed to be punishable act and is considered as partnership in crime. However, considering the facts of domestic violence the victim's behavior can not be qualified as "encouraging" act. Very interesting opinion has been expressed regarding the psychological terror on villains often practices by their wives in the settings of severe social-economic situation and males due to overwhelmed psychic conditions can not surrender to this leading them to violence.

Question - What do you think are the major cause of domestic violence?

The majority of answers pointed out severe social setting, low salaries and unemployment.

The police officer said the prime reason of domestic violence is unemployment which leads psychologically vulnerable men to the brink of alcohol abuse. As underlined by the

respondents drug and alcohol abuse are so widespread that they ready to assign the causes of any crime to these deviations.

Question – when the victim refers to the police with the demand of criminal case initiation who is responsible for payment of emergency medical examination and medical checks needed before the criminal prosecution case is initiated?

Medical record/conclusion on the damage to the victim's health is the important evidence, which is strongly required for the initiation of criminal case. Otherwise the degree and severance of the damage can not be assessed and evaluated.

The respondents provided extensive theoretical opinion on this very practical question. They indicated that currently the government can not provide free of charge medical examination. When the victim with the marks of physical violence or with the declared occurrence, goes to the police the police officer refers her to the medical facility for the full medical examination. However, the medical examination within the limit of referral is rather a general check which is not able to determine the degree and severance of the injuries or damage to the victim's health (and this is strictly required in order to qualify the crime). Normally full medical examination involves modern equipment (especially when internal injuries are suspected) which can not be provide for free. Therefore the government can not provide the full medical examination.

The rest of the police officers interviewed indicated that preliminary medical examination (before the initiation of criminal case) is absolutely free and comprehensive. The victim is referred to the Expertise Center at the Ministry of labor, health and social affairs for medical examination.

Question – how often do you have cases when both criminal and civil prosecution cases are initiated simultaneously?

Note: During criminal case proceedings those victims who underwent physical, moral or material damage have right to demand the compensation under the civil code by referring to the investigator being in charge of criminal case proceedings on the same occurrence. In case investigator, inspector or prosecutor makes sure the plaintiff has the right to file a civil case, he/she is responsible to summon the plaintiff and explain the said right to her.

The majority of the respondents say that normally victims demand the reimbursement after they are explained their right for so doing.

According to the respondents the facts of criminal case proceedings on domestic violence are rare and so are the claims on the material damage reimbursement under the civil code.

It was difficult to find out the commitment of the police officers to inform the plaintiff on their right to claim damage reimbursement. Normally plaintiffs do not know that they are entitled the right to claim reimbursement unless they have lawyers. In majority of cases plaintiffs are not informed on their right for reimbursement by the case prosecutors,

which is partially due to the fact of their insufficient qualification regarding the civil code issues. The interviews corroborated to this statement. The part of the respondents was not even aware of the rules of civil case initiation in the process of criminal case proceedings.

The realization of the above mentioned rights is essential for victims – the sooner the claims for the reimbursement is filed the greater chance are there that the perpetrator reimburses the damage (for instance: the seal on the perpetrator's property will be applied timely). Delay while initiating the civil case might entail disability to damage reimbursement, for instance, a perpetrator might grant his property to other person. As a rule only after stating the punishment do the claimants wake up so to say and demand the reimbursement.

The right for damage reimbursement is essential for domestic violence victim women since they are the ones who suffer without support and property and in most cases with children to support. The existing practice serves as a proof to this fact.

Question – Do you consider intervention in other peoples' family affairs as an impediment while investigating family crimes?

As assumed from the Survey the investigators find the cases of domestic violence as unpleasant to work on. Majority of victims often reconcile with batterers and police officers are left with terminated case proceedings that negatively affects their employment record. Claimants' activeness is often replaced by their inactiveness and refusal to cooperate with the law enforcement organs. Law enforcement officers try to settle the misunderstanding in families unless there are serious health damages due to physical violence.

We tried to find out the ways used by police officers to deescalate the conflict within the families. The questions turned out to be quite interesting. We found out that the police officers advise the victim women who have addressed the police and are rather few in number to keep away from their villains for a while and then continue ordinary relationships. They say that regardless their intervention the majority of stories develop this way – spouses first have disagreement and then reconcile.

Question – in case of less severe health damages should the initiation of criminal case be solely dependent on the claimant's wish?

Considering the problematic issues set forward in the process of the interviews the part of the respondents found it reasonable to put the domestic violence cases under the category of public/private prosecution which means that the case is initiated upon the victim's claim but can not be terminated upon reconciliation. Therefore a villain can not escape justice even if a victim and a batterer reconcile.

The rest of the respondents think that the initiation of criminal case should be solely dependent on a victim's wish which is determined by fact that battering belongs to the minor crimes. Crimes/offences between spouses are of sporadic nature and based on the

practice it can be assumed that the relations between spouses might be settled for children's sake. In such cases partners should have the right to decide themselves.

Question – Is it necessary to adopt a special law regulating to the smallest details the struggle against family violence, investigation and introduction of additional victim's protection mechanisms?

The majority of the respondents found it unreasonable to adopt a new law. They think that there are sufficient laws in the existing legislation which regulate the issues regarding the punishment. As for the improvement of protection mechanisms, it can be manageable by increasing the state financing and perfecting existing norms.

Any flaw which had been outlined was assigned to the lack of state finance and respectively they have less to do with the insufficiency of victim's protection. The government should struggle with the family violence not by introducing new laws but by delimitating those factors which cause domestic violence (for instance: unemployment, drug addiction, alcohol abuse etc).

Police officers say that their experience in the issues of domestic violence and observation over a villain showed that violent character is not a genetically physiological feature. In most cases it is a form of acquired acute neurosis. Severe social condition and absence of people's support make a person a villain.

The part of the respondents considers that victims' rights should be better protected through improving civil legal mechanisms. They think that the Law should provide social and material security of the divorced. The facts of battering and health damage occur between the divorced spouses who happen to live in the same house.

Question – weather or not it would be reasonable to adopt those mechanisms that are exercised by foreign legislation, for instance prohibition order meaning to exile a villain from the place of residence for a while.

The part of the respondents was not aware of the measures exercised by for countries' legislations but after being given some explanations some of them considered prohibition orders as too aggressive a mean.

As explained by the respondents to exile a batterer from the place of residence can only be possible in the case when the living space is not his property. In Georgia normally men are the owners of immovable property and exiling them from their own property would cause violation of their constitutional rights. Considering the Caucasian mentality and Georgian stereotypes some of the police officers say the practice of prohibition orders would not work.

Some of the respondents said that to exile a batterer from the living place would be good for a while. However, this fact might encourage him for more severe crime while other

participants do not justify such risk and think that sentencing a batterer to a punishment if allowed by the existing law would work better.

In fact, these suggestions suggest the necessity to adopt additional measures and mechanisms. However, the issue of domestic violence is not researched to the core, partially due to unserious approach to the matter.

Question – Do you think it is necessary to adopt additional protection measures for victims and witnesses and if yes why? Do you think that existing measures and mechanism are sufficient?

As explained by the respondents, big part of the existing procedural norms can not be used to insufficient funding and human recourses. Therefore, strengthening protection mechanisms is essential, especially for witnesses.

Question – Is there a need to increase law enforcers' rights and responsibilities in investigating family crimes?

As was found out, there is no need in the process of investigation. However, increased liability is required in order to implement more sufficient prevention measures.

As the summary of the recommendations it can be concluded that Government bears the whole responsibility for generation, elimination and problem solving regarding the domestic violence that is determined by existing several social settings.

The low rate of those family crimes that were subject to punishment is determined by the attitude of women victim. First of all, women normally try to avoid contacts with police. There are kind of “fear complex” as the majority of the victims are afraid of “tipping off” their husbands to the police. They think that tipping off will result in further deterioration of situation in their families. They believe that husbands though punished will not forgive their tipping off. In order to overcome this problem, women need to increase their awareness in regards to the legal issues, self-respect. They need to make sure they need to protect their dignity. It essential that a woman, who goes to police, be free from the guilty feeling majority of victim women suffer from. This guilty feeling accounts to their passiveness during investigation and research. Social workers institute, if encouraged by the Government might possibly help them overcome this problem. In this case government should heighten the women’s legal status be it by additional allowances or guarantees. The majority of respondents focused on civil legal guarantees like granting living space after divorce, social allowances or employment of the divorcee.

The major recommendations went to changes in the legislation regarding increasing property rights. As for perfecting the law enforcers’ activities, only improvement of technical equipment was emphasized. There were some suggestions regarding qualification and preventive measures which are not stipulated under the legislation.

Question – What measures do you think would prevent family crime?

The great part of the respondents found it difficult to answer this question. They advised us to think about prevention measures by using experience of other countries.

Interesting suggestion had been offered regarding modern status of women, which allegedly is the cause of increasing facts of violence. Majority of women are out of their homes and that affects family co-living. It was admitted that the government should take care of establishing women in society and for reconstructing mother's status which has been lately replaced by baby sitter's status.

Therefore, the status of modern women turned out to be unacceptable for the certain part of the police officers. They think that the prime role of women is motherhood and they should be more concerned with bringing up children.

It can be concluded that the recommendations basically concerned the improvement country's financial condition, elimination of unemployment, increasing salaries and struggle against drug addiction.

Prosecutor's Office

The process of Interviews

Five Tbilisi district prosecutor's offices and general prosecutor's office had been selected for interview the district offices being the first to start with.

The process of interview was not complicated partly due to the experience gained during the previous interviews with the police officers or might due to prosecutor's office employees higher qualification.

Analysis of Information obtained as a result of the interviews

The most widespread family crimes that are under the public prosecutor's responsibility are murder, murder attempt and raping the latter being considerably rare. Generally health damage is considered to be most widespread family crimes.

As was found out public prosecutor's offices find it difficult to create database of family crime witnesses. Normally there are no witnesses to such types of crime. Family members and close relative who happen to be on the scene at the moment do not testify against their relatives. It is noteworthy that the Law does not oblige close relatives testify against their relative (close relative means: parents, children, foster parents, grandfather, grandmother, grandchildren, sister, brother, souses (including divorced). The problem is not only the small number of witnesses but also instability of their testimonies, lack of victims and witnesses protection that often forces them to deviate from their previous statement. The defaults of procedural legislation regarding collecting evidences, terms of procedural measures and other issues. was considered to be the major problem.

The experience of prosecutor's office employees prove that often men are pushed to violent behavior by women's irritable acts and interference of the third person in the

family affairs (for example mother in law). The great majority of the respondents said severe social condition, unemployment, widespread alcohol abuse and drug addiction were the direct cause of conflict. However, emphasis was made on the individual character of each of crime acts. As was underlined by the respondents every crime has special motive and reasons.

As for the medical examination of victims, the fee is often paid by the officer who sends the victim to a medical facility for the medical check. The medical examination often entails specialists' involvement and victim has to pay for their consultancy.

The respondents say that while investigating family crimes they try to treat the family members with caution. Trust and confidentiality also play important role during investigation. As proved by experience to talk with the family members in terms of law and legislation is often of negative effect. Interference with rude and inaccurate manner might cause even more harmful effect than non-commitment and negligence in regards with the facts to be double-checked.

Most of the respondents do not agree with the opinion that existing legislation lacks flexibility and reasonableness regarding domestic violence investigation. However, they think that procedural norms need to be simplified for better effects. To be more precise, they do not like the "attendee institute" and think that an investigator should be granted with trust. On top of that, the terms of imprisonment and accusation also need to be revised.

As for adoption of separate law on domestic violence the most of the respondents supports the idea provided that the law is able to protect victim during investigation process as well during court hearings to avoid any kind of pressure from defendants. The law should be practical and adequately fitted into the Georgian context and tradition. Some of the respondents think that the problem might be settled by adding additional clauses to the Criminal Code while some of the respondents did not find it reasonable to adopt any new law or make amendments to the existing legislation.

It is noteworthy that the majority of respondents support amendments to be made to the existing legislation. As they observe the facts of domestic violence have increased lately in Georgia. General political and social changes have resulted in changing the category of domestic crimes respectively. The crimes invoked by the existing social conditions have increased considerably. Therefore, the government should pay attention to family protection more intently since the aggression generated in families might be expressed by committing other criminal acts.

As for the mechanisms existing in other counties' legislation, it would be a step forward to regulating problems but these mechanisms should be shaped according to Georgian context and legislation.

Question – Is it appropriate to adopt additional mechanisms for victim/witness protection and how efficient are those already practiced?

The respondents said that the protection is the major problem while investigating family crimes. Often both victim and witness hide the criminal act. Although it is true that existing legislation provides mechanisms for protection, but these mechanisms are so inflexible that it is almost impossible to apply to them in practice. However, some of the respondents say make them appropriately function would help settle the problem.

Some of the respondents think that government's attitude and public opinion related to the domestic violence issues need to be changed. It is appropriate to make this problem more general and properly inform the society.

The issue to restore population's trust towards law enforcers has been numerously emphasized. Therefore, the law enforcers feel certain mistrust form the public but they avoid talking about this problem and therefore do not point out facts.

The respondents think that it is appropriate to form domestic violence victim rehabilitation center for timely isolation of victims from their batterers and their psychological rehabilitation which is very important.

Commission working on the prevention of family violence needs also to be establish and work appropriately. However, the respondents could not give the specifics of the commission at the stage of the interviews.

They also emphasized the importance of the court dealing with the family affairs, which is unilaterally acceptable for us. However special legislative basis need to be formed before creation such court.

Strengthening inspectors' institute and timely implementation of preventive measures were also found as effective means.

Conclusion

The survey carried out within the law enforcement organs enabled us to study the attitude of the law enforces towards the domestic violence at least partially.

The talks with the police officers help us consider the problem form different specter. However, certain opinions on their activities remained the same.

It was evident that there is no special approach to the investigation of domestic violence crimes. The law does not provide any specifics either and the law enforcers do not oblige themselves to approach to this problem in a special manner major reason being the absence of material base. Lack of finance is most often the major impediment to family crime investigation.

It can be said that lack of state finance is deemed to be the source of all the problems which resembles delegation of responsibilities. In some cases social factors seems unreasonable and inappropriate.

Facts of domestic violence are frequent in Georgia. However, it was found out initiation of criminal case proceedings in this regard are rare especially based on the victim's claim. This is determined by numerous subjective and objective reasons.

The most frequent criminal act such as battering is the least subject to punishment. Battering belongs to less severe crimes but if we consider the issue from the specter of domestic violence, it may be concluded that severe crimes are often preceded by less severe criminal acts and we might even support develop more severe results unless timely prevention. Initiation of criminal case proceedings should not be dependent on the victim's will as currently provided by the Georgian legislation. There is a presumption that family violence should not be remain within the competence of private prosecution whereas other facts of battering may remain within its competence.

It is fairly clear that the majority of the respondents is not aware of the domestic violence phenomenon and perceive it as a casual criminal act. Therefore, the consequences which concur as a result of unpunished crime are often left without due attention. For instance, while encountering the facts of battering police officers often try to reconcile parties without realizing the possible criminal acts which the villain may commit in the future. Although battering belongs to private prosecution cases, still it is considered as crime and requires adequate response.

It is also desirable that the responsibility of law enforcers should be increased regarding the medical examination of victims as in my cases its absence serves as a basis for refusal to criminal case proceedings.

As for respondents, they try to justify these problems by lack of finance and adequate cadre. They are not inclined to confess that in majority of cases their indifference and lack of sense of responsibility help develop non-punishment syndrome in a villain. In fact, there was not a single case of self-criticism. However, the reality proves the contrary. The victims who goes to the police are often subject to indifference and negligence. This is the case especially with less severe crimes.

After interviews with the law enforcers, it was vividly seen that the issue of domestic violence more responsibility and government's involvement.

Recommendations

Considering the above said it has been found reasonable to implement following activities:

- ▲ increase level of law enforcers' qualification especially in regard with domestic violence, priority to be given to works with lower rank services (district police

departments, prosecutor's offices, precinct inspectors). Their qualification need to be enhanced not only through legal issues but also in regard with methods of communications with victims.

- ▲ from a special agency in the police departments and prosecutor's offices to deal with investigating family crimes
- ▲ improve existing mechanisms of victim/witness protection
- ▲ create more efficient mechanism of urgent medical examination for domestic violence victims
- ▲ Before adoption special law on domestic violence to amend criminal code and add articles to deal with it.

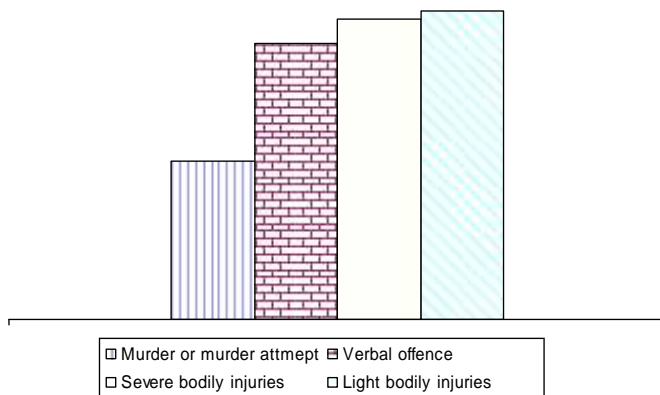
Areas where we can support

1. Consultations with MIA and public prosecutor's office regarding creation of a separate department
2. Train specially selected police officers and investigators
3. Research foreign countries' legislation and related materials in order to focus on domestic violence disposition
4. Prepare amendments to Georgian Criminal Code regarding domestic violence
5. Grassroot research of the existing mechanisms related to victim's urgent medical examination and victim/witness protect and prepare guidelines for focus groups

RESULT OF STATISTICAL POSSESSING

Below are given of diagrams of frequency distribution in per cents. The results include answers both of police and prosecutor's office employees.

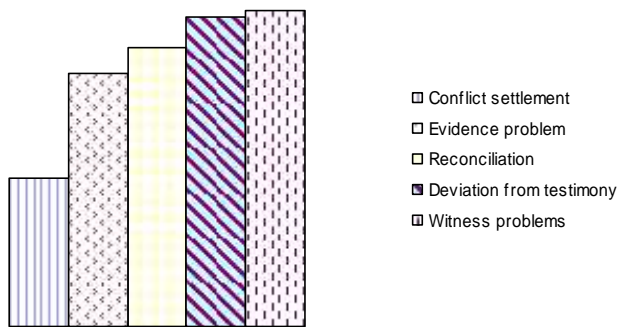
1. Which type of domestic violence crimes do you most often encounter?



Police officers basically point out 4 types of crime: Frequency is evenly distributed between minor bodily injuries (29.6%) and severe bodily injuries (28.8%) and verbal offence (26.4%). Murder and murder attempt turned out to be less frequent (15.2%).

2. Do you encounter any problems while investigating domestic violence cases and if yes, please specify

Question 2.



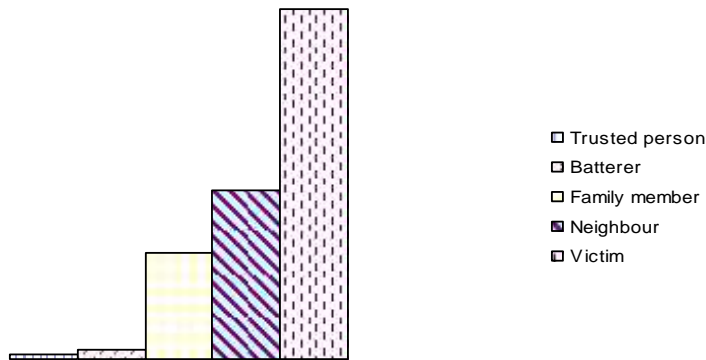
While investigating family crimes, law enforcers most frequently encounter following problems: witness problems (24.2%), deviation from previous testimony (23.7%), reconciliation of the parties is also frequent. In these cases investigation tends to be delayed or terminated (21.3%).

3. How often does a claimant pursue the case filed upon battering of or intended bodily injury to any member of a family?

As respondents say, majority of court cases on family crimes are terminated before completion (96.6%). These cases are qualified as private prosecution cases and are solely dependant on a victim. Some other reasons for termination like independent settlement, reconciliation, pity etc are given in Question 2.

4. Who notifies police most often on the family crimes?

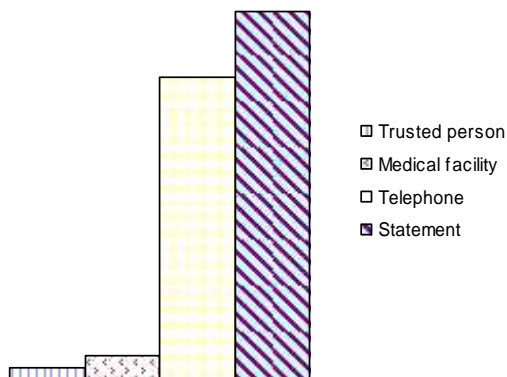
Question 4.



Out of total number of responses “victim” got the highest indicator. It means that victims themselves most often notify on the family crime facts. “Neighbour” is the second most frequent (25.7%) and “family member” (16.9%) is the third. The bases when villain himself goes to the police is extremely rare. (1.4%).

5. What is the most widespread means of notification? (Telephone, personal visit of witnesses). If yes to “telephone notification” who is a caller in majority of the cases?

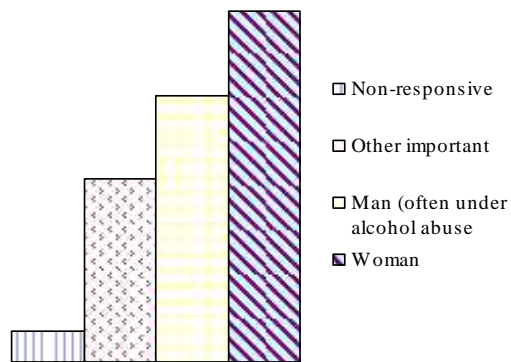
Question 5.



Most of the police officers say that the majority of notifications on family violence acts are received either by telephone (52.3%) or by notice (42.9%).

6. Who from the family members do you think is responsible for provocation most often?

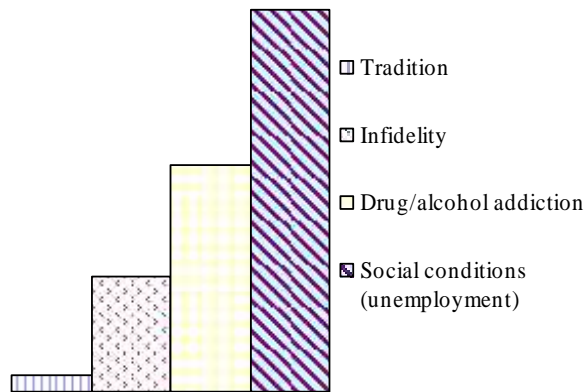
Question 6.



Based on our survey, woman is deemed to provoke family violence in most of the answers (42.2%). Only 32.1% of the respondents blame man for provocation. It is noteworthy that in such cases they imply that men are under alcohol abuse

7. What do you think are the major causes of domestic violence?

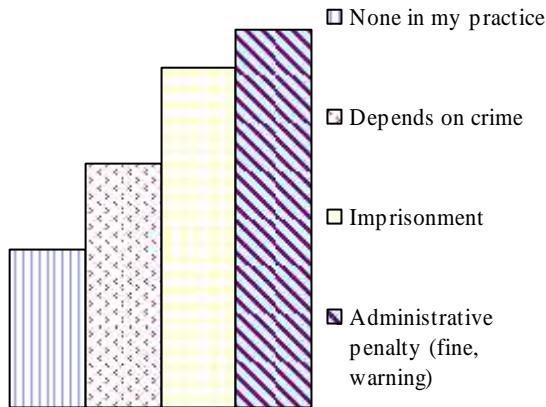
Question 7



51% of the respondents say severe social settings account for the majority of domestic violence cases. However, some point out drug/alcohol addiction (30.5%). The factors such as infidelity, jealousy are united under the same category (15.5%). The least of the answers (2.3%) suggested “tradition”.

8. Which type of punishment do you most often support at court? (if a sanction provides alternative forms of punishment).

Question 8.



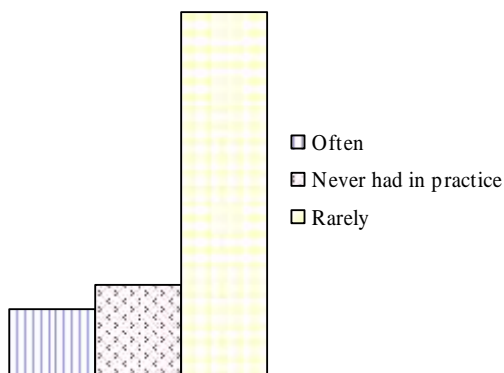
The respondents point out that the most widespread form of punishment is administrative penalty (33.7%) and imprisonment (30.4%). 14.1% of the respondents indicated, that they have never supported the prosecutor's side in their whole practice.

9. When a victim addresses to the police with claim for initiating criminal case, who is in this case responsible for urgent medical examination and who pays for it?

56.8% of the respondents indicate that State pays for the medical examination, while 47.4% of the respondents think this is a victim's responsibility.

10. How often are there cases of civil code proceedings together with the Criminal code proceedings?

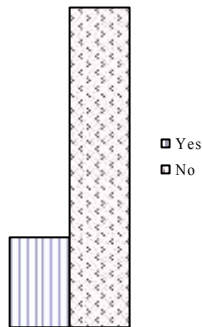
Question 10.



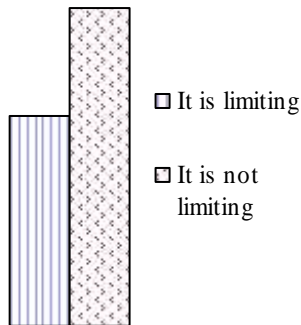
69.9% of the respondents say they have not seen much of these cases, while 17.4% said they have never had it in their practice.

11. Do you find interference in other people's family affairs as impediment while investigating family crime cases?

Question 11-1. Is Interference impeding or not?



Question 11-2. To what extent limiting do you find this circumstance?

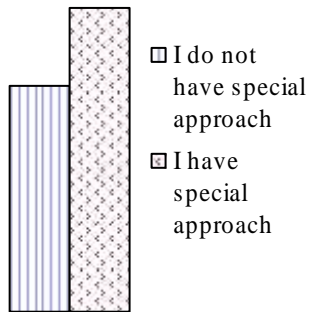


60.2% of the respondents does not find factor of interference as limiting.

When the question is directed to the respondents, this indicator is even higher. 78% say they personally do not find interference as impediment while investigating domestic violence.

12. In what manner do you lead the investigation process in case of domestic violence? Is there any special approach and if yes, please specify

Question 12.

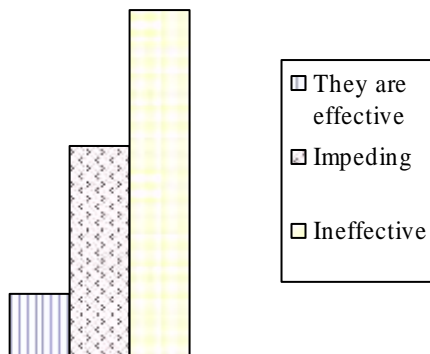


57.4% of the respondents think that they have special attitudes and tools while investigating family crime cases.

Three sub-types were found out among those respondents who said had special approaches while investigating domestic violence cases: preventive work (with victim and batterer) 10.3%; reconciliation (12.1%) and friendly and delicate attitude to victims (22.4%).

13. Do you find existing legislation flexible in regards to the investigation of domestic violence cases? How effective are the preventive measures and procedural norms dealing with criminal case initiation, research and investigation as well as taking other measures?

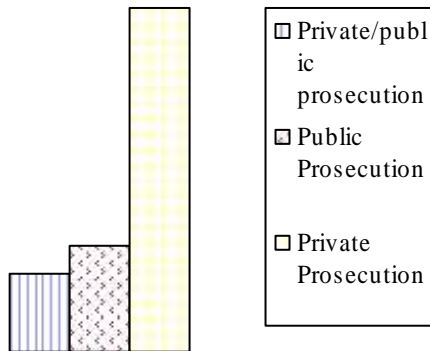
Question 13.



Only 9.9% of the respondents said the existing legislation is flexible and support successful investigation. 56% find the existing legislation as ineffective while 34.1% finds it not only inflexible and ineffective but also impeding.

14. Do you think that cases filed upon less severe damages and bodily injuries should be solely dependant on victims' statements or should these cases be transferred to public prosecution cases?

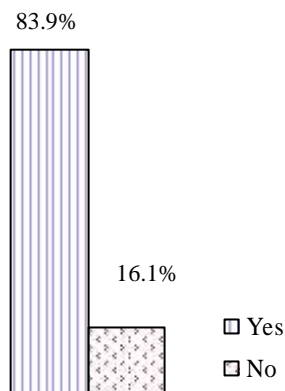
Question 14. Under which category should family violence cases fall?



Majority of the respondents (64.9%) feels that domestic violence cases should belong to private prosecution cases while 20.2% thinks that domestic violence cases are more likely to fall under the category of public prosecution cases. The rest of the respondents, that is 14.9% of the total number of the respondents deem the domestic violence cases to be closer to public/private prosecution.

15. Do you find it appropriate to adopt special law to deal in details with struggle against domestic violence, investigation and adoption of additional protection mechanisms for victim/witness?

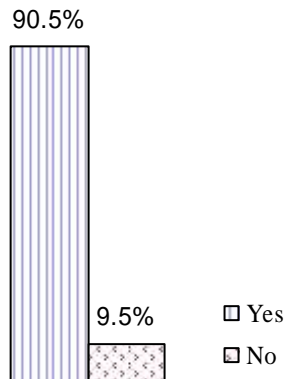
Question 15.



83.9% of the respondents agree to the suggestion regarding adoption additional law and mechanisms for struggle against domestic violence.

16. Do you think there is a need to add special norms to the Georgian Criminal Code?

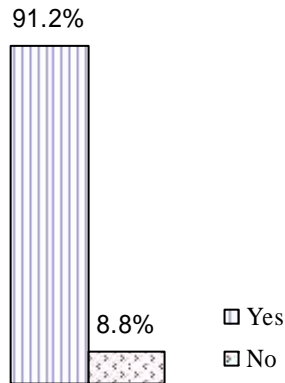
Question 16.



90.5% of the respondents find it necessary to adopt changes to the Criminal Code.

17. Do you find it appropriate to adopt those measures provided by other countries' legislations? Restrictive orders prohibiting a villain to communicate to and live with a victim for a certain period are meant here.

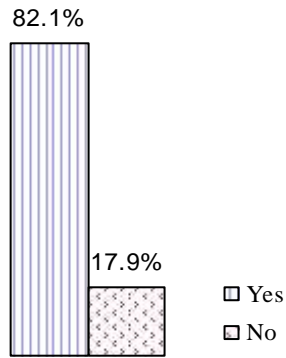
Question 17.



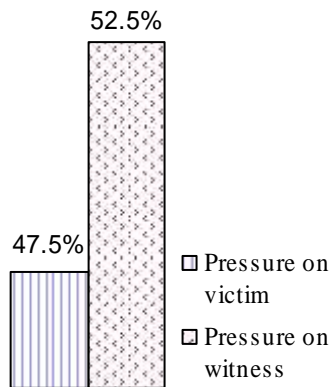
91.2% of the respondents answered positively to this question.

18. Is it necessary to adopt additional mechanism for protection of victim/witness? if no, please specify how effective are those measures currently provided by Georgian legislation?

Question 18-1 Is it necessary to adopt additional measures for victim/witness protection?



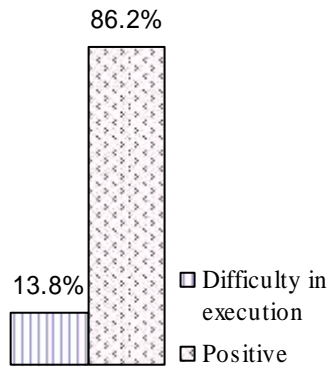
Question 18-2. Why do you find it appropriate to adopt additional measures for victim/witness protection?



According to the data the majority of the respondents think that additional measures of protection should be adopted in order to avoid pressure on victim and witness.

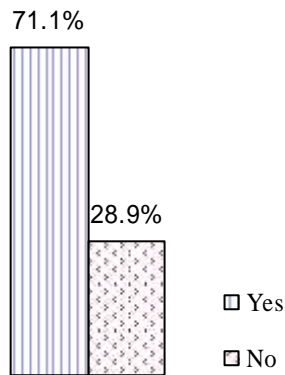
19. How do you think these changes can affect the legal regulation of family crimes?

Question 19.



86.2% of the respondents positively view changes to the legislation and think that this will support regulation of family crimes while 13.8% point out that additional changes to the Law will make execution even more complicate.

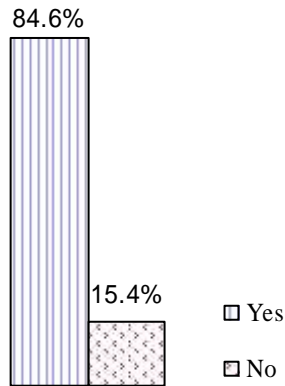
20. Is there any need to increase law enforcers authority while investigating family crimes?



71% of the respondents find it reasonable to increase law enforcers' authority in order to effectively investigate family crime cases.

21. Is it necessary to adopt additional mechanisms for investigation of family crimes?

Question 21.



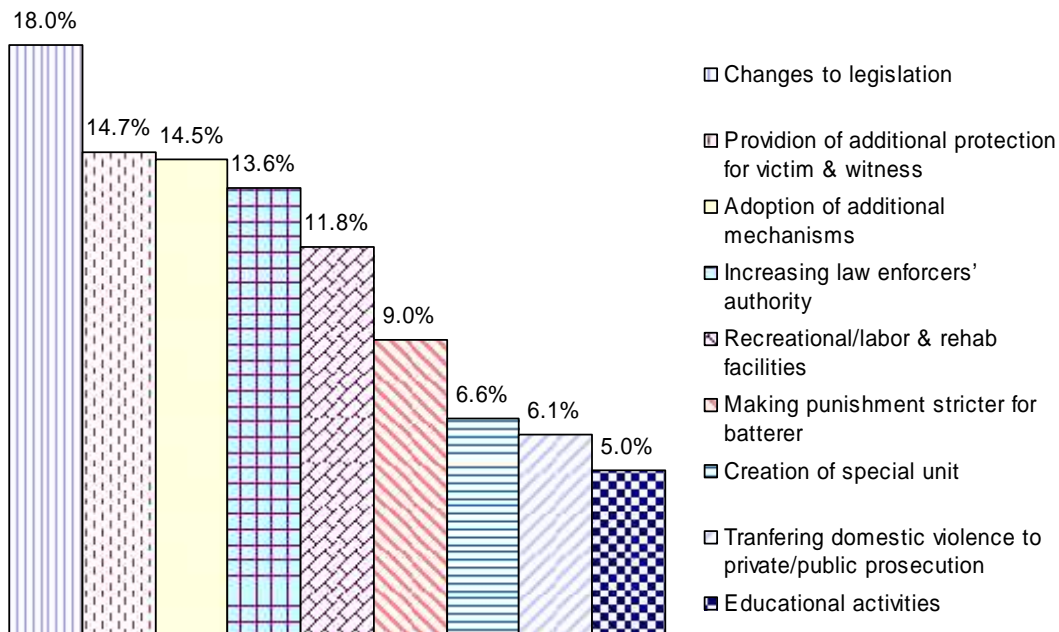
84% of the respondents support the idea of adoption additional mechanisms regarding family crime investigations

22. Which special mechanisms would have decreased the family crime occurrence and made the struggle easier and effective?

As the respondents say the most effective measure would be changes to legislation (50.4%). On top of that, following measures have been outlined: recreational/labor rehab facility (26.2%), make punishment stricter for batterers (12.4%), educational activities (7.6%).

23. What are your final recommendations?

Question 23.



INTERNATIONAL LEGAL STANDARDS AND LEGAL FRAMEWORK OF FOREIGN COUNTRIES IN THE SPHERE OF DOMESTIC VIOLENCE (COMPARATIVE ANALYSIS)

1. INTERNATIONAL LEGAL STANDARDS AGAINST DOMESTIC VIOLENCE

During many years in International Law the issue of family violence and commonly violence against woman was non researched and tabooed subject. Despite the fact that granting important meaning to human rights and by creating international security mechanisms in the world that raised anti-violence campaign, directly about violence against women in international circles claimed loudly only in 70-80's of last century. Because of late such important documents on human rights as are the universal declaration on human rights and international pacts, as well European convention on protection of humans' rights and liberties do not primarily state on violence against women as a violation of human rights.

Later, after revealing the problem's existence and its scope that was coincided with the process of declaring the legislative (de-jure) equality of man and woman in different countries, the international society came to the conclusion that violence against women (among them family violence as on of the forms) is the severe violation of human rights, which is directed against freedom of woman's life, personal immunity, as well torture, and other inhuman or humiliated treatment. This enabled defenders of woman's rights and fighters against family violence to utilize those articles of international documents, which are related to protection of abovementioned human rights.

Regarding to third article of UN Universal Declaration on Human Rights:

“Everyone has the right to life, liberty, and security of person”.

Regarding 5th article of the same Declaration:

“No one shall be subjected to torture or to cruel, inhuman, or degrading treatment or punishment”.

And regarding 8th article:

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

12. Universal Declaration of Human Rights, International Bill of Human Rights (book I).
Publisher Georgian Young Lawyers Association, Tbilisi 1999, pg. 6

13. Universal Declaration of Human Rights, International Bill of Human Rights (book I).
Publisher Georgian Young Lawyers Association, Tbilisi 1999, pg. 6

14. IBID. pg. 6

The rights protected by abovementioned articles of declaration is strengthened by International Covenant on Civil and Political Rights, particularly, According to Covenant's article 6.1:

“Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.”

According to Article 7:

“No one shall be subjected to torture or to cruel, inhuman, or degrading treatment or punishment ...”

According to Article 9.1:

“Everyone has the right to liberty and security of person... No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.”

According to Article 3:

“The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant.”

Established United Nation's Committee on Human Rights on the grounds of mentioned Covenant that discusses the individual complaints of private individuals against State, because of violations of rights considered within the Covenant is one of the ways for the defenders of woman's rights and fighters against family violence to reveal on international level the problems of abused women.

EUROPEAN CONVENTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

For citizens of Georgia and for persons who dwell on its territory the most efficient mechanism for the protection of their rights is the European (Strasbourg) Court of Human Rights, based on the European Convention on Protection of Human Rights and Fundamental Freedoms. This court is capable to pronounce obligatory verdict for States on the bases of private complaints directed against it.

The European Convention of Human Rights and Fundamental Freedoms include the list of those rights, which are violated by family violence. According to Convention's Article 2:

“Everyone's right to life shall be protected by law...”

19. European Convention of Human Rights and Fundamental Freedoms, European Council and the Protection of human Rights, Publisher: Constitutional Court of Georgia, Tbilisi 1998 year, pg. 57

According to the same Convention's Article 3:

“No one shall be subjected to torture or to inhuman or degrading treatment or punishment.”

According to Article 5:

“Everyone has the right to liberty and security of person....”

According to Article 8:

“Everyone has the right to respect for his private and family life...”

According to Article 13:

“Everyone whose rights and freedoms as set forth in this Convention are violated shall have an effective remedy before a national authority...”

And according to Article 14:

“The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex...”

The procedure of bringing a complaint to court regulates the European Convention of Human Rights and Fundamental Freedoms and Norms of European Court of Human Rights. The convention gives the right to bring a suit to every individual, or group of individuals or non-governmental organizations. According to Article 34 : **“The Court may receive applications from any person, non-governmental organization or group of individuals claiming to be the victim of a violation by one of the High Contracting Parties of the rights set forth in the Convention or the protocols thereto...”**

The individual applications should be brought to the court when all domestic remedies have been exhausted and within a period of six months from the date on which the final decision was made.

20. Ibid. pg. 58

21. Ibid. pg. 62

22. The 8th Article of European Convention was actively utilized for the support of the position, according which country should not interfere in human's private and family life, but as time went by the impropriety of this conception was proved. In case X and “against the Netherlands the European Court of Human rights declared that according to convention concept on “private life” includes “persons physical and moral immunity, as well as sexual life”; 8th Article of the Euro convention obliges countries not only refrain themselves from interfering in persons private and family life, but as well obliges them to make effective (including criminal law) measures for guaranteeing the respect of right on private life between individuals' relationships.

23. European Convention of Human Rights and Fundamental Freedoms, European Council and the Protection of human Rights, Publisher: Constitutional Court of Georgia, Tbilisi 1998 year, pg. 65

24. European Convention of Human Rights and Fundamental Freedoms, European Council and the Protection of human Rights, Publisher: Constitutional Court of Georgia, Tbilisi 1998 year, pg. 65

25. European Convention of Human Rights and Fundamental Freedoms, European Council and the Protection of human Rights, Publisher: Constitutional Court of Georgia, Tbilisi 1998 year, pg. 74

FAMILY VIOLENCE AS A FORM OF WOMEN'S DISCRIMINATION CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)

The first most visible result of dynamic struggle for the protection of women's rights was the adoption of Convention on the Elimination of All Forms of Discrimination against Women by United Nations in 1979 year.

Mentioned convention varies from other documents about human rights, because together with highlighting women's rights it was the first document, which stated about the responsibility of states on the violations of human rights occurred as in public as well private sphere (including family).

The Convention on the Elimination of All Forms of Discrimination against Women doesn't directly argue about abuse toward woman as one of the forms of woman's discrimination.

For the purpose to correct such irrelevance, the CEDAW committee of UN in 1989 year in its 12th recommendation towards states maintained that "Considering that articles 2, 5, 11, 12 and 16 of the Convention require the States parties to act to protect women against violence of any kind occurring within the family, at the work place or in any other area of social life" and Committee recommended that States should include in their reports information on violence and on measures introduced to deal with it for the fulfillment of abovementioned articles.

Despite this recommendation, the reports of State Parties didn't reflect clearly the fact of their proper perception on close interrelation between woman's discrimination, gender violence, and violation of human rights.

For this reason, in 1992 year the CEDAW committee in its 19th recommendation directly noted that violence toward woman is one of the forms of woman's discrimination according to the 1st Article of the convention and produced the explanation:

"Violence that is directed against a woman because she is a woman. It includes acts that inflict physical, mental, or sexual harm or suffering, threats of such acts, coercion, and other deprivations of liberty."

26. CEDAW Committee, General Recommendation 12 (eight session, 1989), www.un.org/womenwatch/daw/cedaw/recomm.htm

27. CEDAW Committee, General Recommendation 19 (eleventh session): Violence against Women (1992), Sec.6, Women and Human Right: The Basic Documents, Center for the Study of Human Rights, Columbia University, 1996, p.235

The committee stated that gender violence in relevance with international law prevents or totally excludes woman to enjoy with such rights as:

- (a) The right to life;**
- (b) The right not to be subject to torture or to cruel, inhuman or degrading treatment or punishment;**
- (c) The right to equal protection according to humanitarian norms in time of international or internal armed conflict;**
- (d) The right to liberty and security of person;**
- (e) The right to equal protection under the law;**
- (f) The right to equality in the family;**
- (g) The right to the highest standard attainable of physical and mental health;**
- (h) The right to just and favorable conditions of work.**

The Committee required from member states of the convention to take positive measures to eliminate all forms of violence against women as in public social life as well in private sphere. This means that State Parties are required to take all appropriate measures to eliminate violence against women, also with dynamic actions to create such environment, which maximally supports the protection of women from all forms of violence as in society as well in the family. States are responsible internationally not only for the commitments of different institutions and authorities, but as well for the commitments of private individuals.

According to 19th recommendation of the Committee:

“States may also be responsible for private acts if they fail to act with due diligence to prevent violations of rights or to investigate and punish acts of violence, and for providing compensation”.

In the same recommendation the Committee paid special attention to family violence as to one of the veiled and dangerous form of abuse toward woman. It was mentioned that these forms of abuse is the problem of every community. In family relationships every woman of all age group experience different forms of abuse as are beating, rape, different forms of sexual harassment, psychological and other pressure, which are strengthened with traditional viewpoints, existed in the community and woman’s economic dependence on the abuser. The Committee mentioned that the neglect of family responsibilities by man also should be considered as a form of violence. Family violence is the risk factor for woman’s health state and deprives her from equal participation as in private as well in public life.

²⁸ Ibid, Sec.7, p.235

²⁹ Ibid, Sec.9, p.236

³⁰ Ibid, Sec.23, p.237

Among those measures that are noted in the recommendation and which State Parties should execute, the Committee has emphasized the responsibility on creation of such internal legal mechanism that guarantee to set up criminal law responsibility for all forms of abuse including family violence, establishment, and implementation of norms of civil security dealings and compensatory provisions.

The 19th recommendation of the Committee was the significant step in protection of woman from abuse by following standpoints:

- The recommendation defined the concept of “violence against woman” and proclaimed this as one of the discriminative forms restricted by International Law;
- Highlighted on family violence as the most veiled and dangerous forms of abuse and on States responsibility for violations of human rights that take place in family;
- Moved forward United Nation’s activities towards the elimination of all forms of discrimination against women.

Besides, mentioned recommendation enabled defenders of women’s rights and victims of violence to utilize newly created optional protocol on mechanism of individual complaints about the elimination of all forms of discrimination of women.

The optional protocol of the Convention, which was adopted in 1999 year enables those women to submit individual complaints to the Committee on the Elimination of all Forms of Discrimination against Woman whose rights that declared by the Convention were violated. According to the 2nd Article of the protocol the complaints can be submitted by individuals or groups of individuals or on their behalf (for example by NGO), who are under the jurisdiction of relevant State. While submitting complaints of victim or on behalf of victims their consent is necessary. It is possible to submit complaint to the Committee without consent of the victim, if there are special circumstances, which justifies acting on behalf of victim without her consent.

The communications should be submitted in writing and it can’t be anonymous. The complaint is considered only in that case, when an applicant has exhausted all available domestic remedies. The complaint also can be considered without exhausting all domestic remedies if will be recognized that these remedies are inefficient and the case is unjustly drawled.

After receipt of complaint the Committee will investigate the facts stated in the complaint and States obligations according to the Women’s Convention. If the Committee reveals that the State Party doesn’t execute the obligations determined by the Convention, the Committee gives recommendations to the State Party to take measures to improve the situation.

31. Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, A/RES/54/4, 15 October 1999, <http://www.un.org/womenwatch/daw/cedaw/op.pdf>

Georgia ratified the Optional Protocol on May 18, 2002. This enables the protectors of women's rights to utilize the new procedure for Georgia after Protocol's coming into force (July 30, 2002) towards violations which further took place.

The mechanism of individual complaints for the violations of the rights considered under Women's Convention will play significant role by protecting woman from abuse.

FURTHER STEPS OF THE UNITED NATIONS

Practical activities and public campaigns by putting forward the problem organized with joint agreement of Feminist groups and NGO's step by step raised public awareness. This supported to make several significant steps against violence towards women and included in International Organizations and States' action plan the problem overcoming (combating) goal.

After multisided consultations the Coalition of World Woman's Organizations on forth UN World Conference on Human Rights held in Vienna on 1993 year lobbied the issue of official recognition of gender based violence as the essential violation of Human Rights.

DECLARATION ON THE ELIMINATION OF VIOLENCE AGAINST WOMEN

On December 20, 1993 by the resolution of General Assembly was adopted the Declaration on the Elimination of Violence against Women, which created bases for the preparation of international treaties having obligatory power for the execution in this sphere. The declaration includes the definition of "violence against woman", which is based on the definition of the 19th resolution of Committee on the Elimination of Discrimination against Women. According to the declaration, "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life."

In relation to Declaration violence against woman is the unity of physical, sexual and psychological abuse that can emerge in the family, society or maybe perpetrated or condoned by the State, wherever it occurs.

32. The resolution of the Parliament of Georgia on "The Elimination of all forms of Discrimination against Women» about joining the Optional Protocol of the Convention, # 1472, Tbilisi, July 18, 2002 .

33. World Conference on Human Rights: Vienna Declaration and Program of Action (1993), Sec. 36-44, Women and Human Rights: The Basic Documents, Center for the Study of Human Rights, Columbia University, 1996, p. 84-86

³⁴. Declaration on the Elimination of Violence against Women (Art. 1), UN General Assembly, A/RES/48/104, 23 February, 1994

The significance of the Declaration also is underlined by the fact that it is the international document, which includes the list of acts regarding family abuse. Such forms of conduct are battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;

The declaration called the States to:

- take into consideration criminal law, civil, administrative and other type sanctions/penalties for the commitments that violence against women constitutes; provide for subjects to violence the access to the mechanisms of justice;
- provide the creation of effective and just remedies for the compensation of physical, moral and property harm resulted from violence;
- provide specialized assistance for victimized women and children, that includes the relevant rehabilitation in the appropriate institutions, assistance in child care and maintenance, consultations, medical and social support, protection of physical safety;
- cooperate with women's movement and non-governmental organizations that fight against violence towards women.

BEIJING PLATFORM FOR ACTION

The resolution of the Committee on the Discrimination of Violence against Women and the approach emphasized in the Declaration on the Violence against Women were strengthened with the Platform for Action received by the UN Forth World Conference on Women (Beijing, September 4-15, 1995). The mentioned Platforms called the Nations not only to preserve from violation of women' rights, but also to undertake all active measures to avoid and eliminate violence against women.

The Platform for Acton, which was adopted at Beijing Conference, emphasizes two basic forms of violation toward woman: violence that take place in the family and in public life, which includes violence at workplace, women trafficking and forced prostitution. The Platform for Action gives recommendations to State Parties to undertake several practical measures that incorporate the creation of shelter for the victims of violence, where they will be provided with free of charge psychological, medical and juridical support.

³⁵. Declaration on the Elimination of Violence against Women (Art. 2 (a)), UN General Assembly, A/RES/48/104, 23 February, 1994

³⁶. Beijing Declaration and Platform for Action, Forth World Conference on Women, Chapter IV: Strategic Objectives and Actions, Human Rights of Women, Sec.215, Women and Human Rights: The Basic Documents, Center for the Study of Human Rights, Columbia University, 1996, p.100

³⁷. Beijing Declaration and Platform for Action, Forth World Conference on Women, Chapter IV: Strategic Objectives and Actions, Violence against Women, www.un.org/womenwatch/daw/beijing/platform/vioence.htm

DOCUMENT "BEIJING+5"

After five years the plenary session (5-9 of July 2000) of UN held in New York “Women 2000: Gender equality, development and peace in XXI century”, which was dedicated to 5th anniversary of Beijing conference, adopted famous series of documents “**Further actions and initiatives to implement the Beijing Declaration and Platform for Action**”. This document contains the innovatory definition of violence, for example assume assassination on behalf of dignity as a form of violence. This session with concluding resolution offered to State Parties to set up or strengthen a national coordinating mechanism, for example, a national reporter or an inter-agency body, with the participation of civil society and including non-governmental organizations, to encourage the exchange of information and research and eliminate the causes and supporting factors of violence against women.

UN SPECIAL MODEL LEGISLATION ON DOMESTIC VIOLENCE

A year later since adopting the declaration in 1994 the United Nation appointed the special reporter on violence against woman, its causes, and consequences, who had to document and analyze this problem worldwide.

In 1996 after 2 year from appointment the first special reporter of UN on the bases of researches and analyze prepared “A framework for model legislation on domestic violence”.

This document consists of all those significant aspects, which should be considered by State Parties complex legislation in the sphere of domestic violence. This framework serves as guide to legislatures and also for all individuals, who have decided to lobby legislatures for comprehensive legislation on domestic violence.

The UN Model Legislation consists of 7 chapters. In the 1st chapter is stated the purpose of the legislation, 2nd chapter is dedicated to definition of terms, the 3rd chapter talks about complaints mechanism, the 4th chapter is related to judicial officers, the 5th chapter regulates the criminal proceeding and 6th chapter civil proceedings, in the 7th chapter is discussed the provision services for victims.

38. Document A/S-23/10/ Rev.1 - General Assembly, 23rd Special Session, Supplement No.3

39. A Framework for Model Legislation on Domestic Violence, Report of the Special Reporter on Violence against Women, its Causes and Consequences, Commission on Human Rights, Economic and Social Council, E/CN.4/1996/53/Add, 2 February 1996

Chapter I. Purposes

This chapter starts with the definition of domestic violence concept, which is directed against woman in private ad family relationships, that domestic violence constitutes a serious crime and society should not be tolerant. In this chapter the UN special reporter calls nations for to establish specific legislation that prohibits violence against women within interpersonal and family relationships, which will protect victims of such kind of violence.

Mentioned chapter considers the establishment of special departments, programs, and services including but not limited to shelters, counseling programs and training programs to aid victims of domestic violence.

The document claims to provide by law comprehensive support services, including but not limited to:

- Emergency services for victims of abuse and their families;
- Support programs that meet the specific needs of victims of abuse and their families;
- Education, counseling and therapeutic programs for the abuser and the victim;
- Programs to assist in the prevention and elimination of domestic violence which includes raising public awareness and public education on the subject.
- Expand the ability of law enforcement officers to assist victims, to enforce the law effectively in cases of domestic violence, and to prevent further incidents of abuse.

Chapter II. Definition of Domestic Violence

In this chapter is emphasized general advice to State Parties, which are recommended to enact comprehensive domestic violence legislation which integrates criminal and civil remedies rather than making marginal amendments to existing penal and civil laws.

The document clearly requests from nations to set the fact that **“violence against women in the (a) family and violence against women within (b) interpersonal relationships constitute domestic violence”**.

Domestic violence must be distinguished from intra-family violence.

40.A Framework for Model Legislation on Domestic Violence, Report of the Special Reporter on Violence against Women, its Causes and Consequences, Commission on Human Rights, Economic and Social Council, E/CN.4/1996/53/Add.2, 2 February 1996, Sec. I

41. Ibid, Sec.II

The definition of domestic violence must include: wives, live-in partners, former wives or partners, girl-friends (including girl-friends not living in the same house), female relatives (including but not restricted to sisters, daughters, mothers) and female household workers.

States should not permit that on behalf of religious or cultural traditions domestic violence could be exercised. States should protect non-national women and hold non national men accountable to the same standards as men of their nationality. There shall be no restrictions on women bringing suits against spouses or live-in partners. Evidence laws and criminal and civil procedure codes shall be amended so that provide for such possibility.

"Domestic violence" should include such acts that are: gender-based physical, psychological and sexual abuse by a family member against women in the family, ranging from simple assaults to aggravated physical battery, kidnapping, threats, intimidation, coercion, stalking, humiliating verbal abuse, forcible or unlawful entry, arson, destruction of property, sexual violence, marital rape, dowry or bride-price related violence, female genital mutilation, violence related to exploitation through prostitution, violence against household workers and attempts to commit such acts shall be termed.

Chapter III. Complaints Mechanism

In this chapter it is defined that in case of domestic violence who can refer to police or court. Such persons are victims, witnesses of domestic violence, family members, and close associates of victims, State and private medical service providers and domestic violence assistance centers.

Chapter also determines:

- a) Functions of police officers;
- b) Alternative complaints proceeding;
- c) Description of victim's rights;
- d) Rules on composing report about domestic violence cases.

Chapter IV. Duties of judicial officers

A. Ex parte temporary restraining order

The first part of this chapter is dedicated to ex parte temporary orders. According to model legislation they are utilized when the defendant (abuser) chooses not to appear in court or cannot be summoned because he is in hiding.

42. Ibid, Sec.II

43. Ibid, Sec.II

44.Ibid, Sec.III

Such order may contain a preliminary injunction against further violence and/or preventing the abuser from disturbing the victim's use of essential property, including the common home.

Besides the victim other persons can apply for a restraining order. Moreover, it is possible that witnesses and persons offering professional assistance to the victim may also be in danger of violence.

When a situation of grave danger exists to the life, health and wellbeing of the victim and she is unlikely to be safe the court order should be issued within 24 hours of violence occurring. The temporary ex parte restraining order's validity expires after 10 days after issuing. Its violation results in criminal law responsibility.

B. Protection orders

The victim, a relative, a social worker, or person assisting the victim of domestic violence may make application for a protection order. The aim of the order is the protection of abovementioned persons from further violence or threats of violence.

Application for protection orders may be made on the expiry of ex parte restraining orders or independently of such restraining orders. Judges should be required to conduct hearings within 10 days of the complaint and application for a protection order.

In model legislation is given the content of the order.

In the same place it is noted that while discussing the application of order issue on the court trial the burden of proof in these proceedings is on the accused to demonstrate that such domestic violence did not take place.

Within 24 hours of the issuing order copies of all protection/restraining orders should be sent to all police departments according to victims and/or abusers place of residence. The police and the courts shall supervise compliance with protection orders. Violation of a protection order is a crime and results in a fine, contempt of court proceedings, and imprisonment.

If the victim does not have the funds to pay the costs of filing for an ex parte restraining order or a protection order, the orders shall be issued without the payment of fees. If the claimants suit is untruthful and unjustified this may move the court to order the plaintiff to pay costs and damages to the defendant.

45 A Framework for Model Legislation on Domestic Violence, Report of the Special Reporter on Violence against Women, its Causes and Consequences, Commission on Human Rights, Economic and Social Council, E/CN.4/1996/53/Add, 2 February 1996, Sec. IV.A

46. Ibid, Sec. IV.B.

Chapter V. Peculiarities of criminal proceedings.

The prosecuting attorney or attorney-general shall develop, adopt, and put into effect written procedures for officials prosecuting crimes of domestic violence.

The victim's testimony is the sufficient argument. The verdict of "not-guilty" couldn't be pronounced solely on the grounds of uncorroborated evidence.

While passing the sentence on case the court must indicate that the offender committed domestic violence. (or Upon conviction for domestic violence offence, the judgment shall so indicate the results of the case.)

During the trial phase, the defendant accused of domestic violence shall have no unsupervised contact with the plaintiff.

The issue of a restraining order or protection order may be introduced as a material fact in subsequent criminal proceedings.

Depending on the nature of the offence, and where a defendant is charged for the first time with a minor domestic violence offence and pleads guilty, a deferred sentence and counseling may be imposed, along with a protection order, provided that the consent of the victim is obtained.

Enhanced penalties are recommended in cases of domestic violence involving repeat offences, aggravated assault, and the use of weapons.

Chapter VI. The peculiarity of civil proceedings

A protection order may be issued while civil proceedings for divorce, judicial separation, or compensation are pending. In these circumstances, protection orders may be issued in addition to and not in lieu of civil proceedings.

Protection orders and restraining orders may be issued independently, unaccompanied by an application for divorce or judicial separation.

The issuance of a restraining order or protection order may be introduced as a material fact in subsequent civil proceedings.

47. A Framework for Model Legislation on Domestic Violence, Report of the Special Reporter on Violence against Women, its Causes and Consequences, Commission on Human Rights, Economic and Social Council, E/CN.4/1996/53/Add.2, 2 February 1996, Sec. V

48. Ibid, Sec. VI

Chapter VII. Provision services for victims

A. Emergency services

Under emergency service is supposed:

- Seventy-two hour crisis intervention services;
- Constant access and intake to services;
- Immediate transportation from the victim's home to a medical centre, shelter or safe haven;
- Immediate medical attention;
- Emergency legal counseling and referrals;
- Crisis counseling to provide support and assurance of safety;
- Confidential handling of all contacts with victims of domestic violence and their families.

B. Non-emergency services (long-term)

This kind of service includes:

- Delivery of services to assist in the long-term rehabilitation of victims of domestic violence;
- Programs for domestic violence which are independent of social welfare assistance programs.

C. The training of police officers, establishment of special departments, participation of psychologists and victims in training programs.

D. The annual training of judicial officers and establishment of separate chambers for discussion of domestic cases.

E. The training of victims of domestic violence and perpetrators of violence, who participate in special programs. The establishment of special rehabilitation (correctional) programs for abusers.

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49. A Framework for Model Legislation on Domestic Violence, Report of the Special Reporter on Violence against Women, its Causes and Consequences, Commission on Human Rights, Economic and Social Council, E/CN.4/1996/53/Add.2, 2 February 1996, Sec. VII

DOMESTIC VIOLENCE AS A VIOLATION OF THE RIGHTS OF A CHILD

The convention on the rights of the child

The issue of child abuse in the family like violence against woman attracted the attention of international society more lately. Although, while preparing the independent international law document on the rights of the child - UN convention on the Rights of the Child – there were numerous researches and conclusions around this issue (the Convention was adopted in 1989 year). Perhaps, this explains the fact that unlikely to the Convention on the Elimination of all forms of Discrimination against woman, the Convention on the Rights of the Child included the direct indications on child's physical, psychological, and sexual abuse in family. Particularly, according to the 19th Article of the Convention, States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent, legal guardian or any other person who has the care of the child.

Such protective measures should, as appropriate, include effective procedures for the establishment of social programs to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

The convention on the Rights of the Child protects child's inherent right to live and preserves from torture and other forms of cruel treatment or punishment, unlawful arrest or deprivation of liberty. This is one more legal resource directed against domestic violence. According to 6th Article of the Convention every child has the inherent right to life. States Parties shall ensure to the maximum extent possible the survival and development of the child.

And, according to the 37th Article, States Parties shall ensure that no child shall be subjected to torture or other cruel, inhuman, or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age; No child shall be deprived of his or her liberty unlawfully or arbitrarily.

The Committee of the Rights of the Child was established for the purpose to monitor and supervise the implementation proceeding of the obligations imposed on States within the Convention on the Rights of the Child. The Committee is enabled to give general suggestions and recommendations to State Parties. The Committee has no right to discuss individual complaints that somehow decreases its efficiency. But, the protectors of child's rights still can significantly influence the State to submit Shadow reports on children's condition in the country according to the Committee's recommendations.

50. The Convention on the Rights of the Child, Article 19, the Rights of the Child , Georgian Young Lawyers Association publication, Tbilisi, September 2000

51. The Convention on the Rights of the Child, Article 37 the Rights of the Child, Georgian Young Lawyers Association publication, Tbilisi, September 2000

THE EUROPEAN DOCUMENTS AGAINST DOMESTIC VIOLENCE

The measures undertaken by the United Nations highlighted the universal character of the problem. The regional organizations followed the action of UN. The European Council, The European Union, and later European Organization for Security and Co-operation worked out large-scale policy and strategy to combat violence against women.

The plan of 1997 year of the European Council about violence against woman contains the detailed description of those activities to which should refer the States for the purpose to avoid and eliminate violence against woman, including protection of victims of violence. The plan requires from States to implement legislation measures, together with approving in the local legislations the clear definition of violence against woman.

The significant attention deserves the recommendation of the Committee of Ministers to Member States on the Protection of Women against Violence, which contains the instructions to EC member states regarding legislation amendments. The recommendation underlines the issue of protection of victims and describes in details those actions which should be assumed in this regard.

The Recommendation is vital document from the standpoint that it contains the newest tendencies existing in international law in the sphere of domestic violence.

The recommendation is guided by the definition of UN Declaration on the violence against woman, but while listing the actions, which include domestic violence goes beyond it and covers the innovatory elements considered by the documents of Beijing Platform for Action and “Beijing +5”. In particular, according to the recommendation, the forms of family based violence are: “physical and mental aggression, emotional and psychological abuse, rape and sexual abuse, incest, rape between spouses, regular or occasional partners and cohabitants, crimes committed in the name of honor, female genital and sexual mutilation and other traditional practices harmful to women, such as forced marriages.”

The Declaration contains such specific list of requests, which should implement States in the sphere of domestic violence, in the process of victim protection, while bring in action criminal law cases and imposing the penalty.

From the standpoint of protection and assisting victim of domestic violence the States are obliged to provide for victims of domestic violence following services:

- whether or not they lodge a complaint in judiciary institution or court, should receive immediate medical assistance and forensic medical examination and treatment;
- should be provided with post-traumatic psychological and social support;
- should be provided with legal assistance;

52. Recommendation Rec (2002)5 of the Committee of Ministers to Member States on the Protection of Women against Violence (Adopted by the Committee of Ministers on 30 April 2002 at the 79th Meeting of the Ministers' Deputies), Appendix to Recommendation, Sec. 1

- should be provided with complete information of their rights;
- abovementioned services should be provided on a confidential basis, free of charge and be available around the clock.

The States also are obliged to:

- encourage the establishment anonymous, free of charge telephone help-lines for victims of violence, regularly monitor calls and evaluate the data obtained from the assistance provided with due respect for data protection standards;
- treat and counsel victims in an appropriate manner, based on respect for human beings and dignity, and handle complaints confidentially and for this purpose utilize the specially-trained staff, especially female police officers;
- set up for children victims of domestic violence adopted special standards of treatment and establish appropriate institutions;

According to Criminal Law States are required to:

- belong any acts of violence against person, in particular physical or sexual violence to offenses directed against human's freedom and security;
- Penalize sexual violence and rape or other form of sexual abuse between spouses, regular or occasional partners and cohabitants;
- penalize any sexual act committed against non-consenting persons, even if they do not show signs of resistance;
- penalize sexual penetration of any nature;
- penalize any abuse of the vulnerability of a pregnant, defenseless, physically or mentally handicapped or dependent victim, especially towards child.

According to Civil Law States are required to:

- ensure that, in cases where the facts of violence have been established, victims receive appropriate compensation for any pecuniary, physical, psychological, moral and social damage suffered, including legal costs incurred;
- establish of special State financing systems in order to compensate victims;

According to Judicial proceedings States are required to provide following measures:

- make provisions to ensure that criminal proceedings can be initiated by the public prosecutor (and not by victim), so to regard domestic violence offences as the category of public accusation offences;
- encourage prosecutors to regard violence against women and children as an aggravating or decisive factor in deciding whether or not to prosecute in the public interest;
- ensure that rules of procedure prevent unwarranted and/or humiliating questioning for the victims or witnesses of violence, taking into due consideration the trauma that they have suffered in order to avoid further trauma;
- take specific measures to ensure that victims and witnesses are protected.

In relation to determining penalty, States are obliged to provide following procedures:

- increase the penalties when abuse and battery is exercised by a family member;
- enable police forces to enter the residence of an endangered person, arrest the perpetrator and ensure that he or she appears before the judge;

54 IBID, Sec.38-44

- establish a protection orders institute;
- establish a compulsory protocol for operation so that the police and medical and social services follow the same procedure;
- promote pro-active victim protection services which take the initiative to contact the victim as soon as a report is made to the police.

II. LEGISLATION OF FOREIGN COUNTRIES-LEGISLATION INNOVATIONS

The results of psychological and legal researches of domestic violence phenomenon, which revealed the disability of previous mechanisms that dealt with this problem, encouraged the radical amendment as of international standards as well legislation of numerous states. It is important to become aware about these amendments for the purpose to realize the efficiency of contemporary legal approaches and to reveal gaps of Georgian legislation.

This process realized in different forms in separate states, where the reform in the sphere of domestic violence have been implemented:

In some states (for example in Finland and Spain) the reform didn't go beyond the civil law, which was set up by the system of protection orders and the issues of relationship with the child have been regulated in a new order (New Zealand);

In some countries in case of domestic violence is increased the utilization of protection orders and frequency and limits of police interference (Austria, Ireland);

In other countries was implemented the reform of civil and remedial legislation of criminal law (Cyprus, Mexico, Nicaragua, several States of USA);

Several states established the new form of offence or in aggravated circumstances of numerous offences took into consideration the commitment of those offences by members of the family (Belgium, France, Spain, Sweden);

And in some states was elaborated the complex code, which determines not only the juridical aspects of domestic violence and states responsibility in relation to safeguard or assist victims, but as well mechanisms of monitoring and prevention with obligatory financing by state (Cyprus, Austria, Denmark, Sweden);

Besides of abovementioned, there are the whole complexes of definite principles, which are common for all these states. In previous chapter this very principles is discussed.

The immunity principle of domestic sphere against private security principle

First of all, it was acknowledged that despite state's responsibilities to respect and secure the immunity of domestic sphere, this right couldn't be used when there is an importance of state's interference for the purpose to protect person's life and physical security, especially when this person is socially and physically unprotected.

Mentioned principle became bases of reform in Austria in the sphere of domestic violence. In June 28, 1994 the Federal Government of Austria adopted the resolution, which represented in the sphere of domestic violence the result of political consensus between for and against authorities of the reform:

“Despite the fact that the states should respect and secure the immunity of domestic sphere this right couldn't be used when there is an importance of state's interference for the purpose to protect person's life and physical security, especially when this person is socially and physically weak”.

The seminar materials “How to fight (combat) with domestic violence” , OCSE Office for Democratic Institutes and human rights, The research and consultancy center of Caucasus Women, The National office for protection of woman and children from abuse, June 9-13, 2003

In Austria this phrase became the core indication to explicate whether the state should interfere in domestic relationships or not. Despite the fact that it is important to respect every person's immunity on private life (The European Convention on Universal Rights and Liberties, Article 8.1), the interference in domestic relationships should not be hesitated when abused person needs to be protected.

Domestic violence as offence of public accusation

If previously to bring into action the majority of domestic violence offences depended on the victim's lodge of complaint to legal institutions, this principle changed with opposite one. The domestic violence component offences became the offences of public accusation, in commitment of which the criminal law case is brought into action with the power of offence commitment fact, despite to victims desire whether to lodge the complaint against the abuser or not.

By means of this approach it is possible to overcome such obstacles as are the passive behavior of the victim, fear, and solidarity towards abuser. We have discussed about this in previous chapter and these issues in many countries, including Georgia prevents from bringing into action the case against the abuser. Such approach gives ability to avoid victims from additional psychological and physical aggression, which often exercises the abuser for the purpose to assure victim not to refer to legislative bodies.

Protection orders: Ex parte (temporary) restraining order

The aim of this institution is to protect victim from abuse or from the danger of abuse repetition. The core of this mechanism constitutes in the idea that in case of domestic violence the state interference should reveal not in offer to victim of violence to leave the place of residence for the purpose of being protected, but should be directed against that person, which endangers the security of the victim.

Abuser (not the victim) is required to live the house (apartment), where he dwells with the victim, despite the fact whether the abuser is the owner of the house or not. And not to return there for a while (this establishes the code and defines court), also abuser shouldn't have any kind of relationship with the victim. The abuser is restricted to come near the victim on definite distance and the attempt to contact with injured party by phone or by other means, to come near the victim's workplace or place of residence on definite distance, or use others to contact with the victim.

In different countries the establishment process of this institution was accompanied with the discussion on how it is possible to force the owner to leave the house (apartment);

57. The article 8 of European Convention on Human rights and

Does this mean the humiliation of own property right. Nevertheless, the society commonly came to the idea that in case of violence, when human's life or health condition is in danger, comparatively with the protection of property right as of advanced importance should be considered protection of individual's live and health, because they are the higher societal values.

The Ex parte (temporary) restraining orders are established in the Unites States of America and in those European countries, as are Austria, Spain, Finland, and Sweden.

The Ex parte (temporary) restraining order is issued immediately after receiving information about violence incident or danger of violence, and is issued by police officers or the court. The procedure of their issuing is different in diverse countries.

In Austria in case of domestic violence any report is enough, for example, neighbors call and the police urgently appear at the place of incident. The police officers assess the circumstances and if they become sure that act of violence took place, on the grounds of code they can issue the order about abusers temporary expel from the house. In Austria such temporary expel can last during 10 days. Also, if during this period victim refers to the court the validity of order naturally extends for 20 days. During this period the abuser has no right to have any relationship with the victim.

In many USA states the police needs the consent of the court to issue Ex parte (temporary) restraining order. For this reason in the court place permanently works duty (assistant) judge, who on the grounds of received information enables the police officer to issue the order. Such kind of order should be submitted to the court before the end of next work day. The validity length of Ex parte (temporary) restraining order is 72 hours. Before length expiration the victim should refer to court by civil method to extend the validity of order.

The court also can issue the Ex parte (temporary) restraining order if victim applies directly. An ex parte order may be issued by court for the purpose to avoid further violence and/or and also in such circumstances where the defendant chooses not to appear in court or cannot be summoned because he is in hiding. The court issues an ex parte temporary restraining order within 24 hours of violence occurring. The court also can provide hearing, where with participation of both parties will discuss essentially about the expediency of order issuing.

The abuser with Ex parte (temporary) restraining order is restricted from following actions:

- a) Restrain the offender from causing further violence to the victim, to other members of the family or dwellers;
- b) Prohibit the respondent from harassing, annoying, telephoning, contacting, or otherwise communicating with the petitioner, directly or indirectly;

58. The seminar materials "How to fight (combat) with domestic violence" , OCSE Office for Democratic Institutes and human rights, The research and consultancy center of Caucasus Women, The National office for protection of woman and children from abuse, June 9-13, 2003

59. Model Code on Domestic and Family Violence, Family Violence: a Model State Code, National Council of Juvenile and Family Court Judges, 1994, Sec. 305, p. 25

60. A Framework for Model Legislation on Domestic Violence, Report of the Special Reporter on Violence against Women, its Causes and Consequences, Commission on Human Rights, Economic and Social Council, E/CN.4/1996/53/Add.2, 2 February 1996, Sec. IV.A

With restraining orders the offender can be ordered to follow such actions as:

- a) exclude the residence of the petitioner,
- b) stay away from the residence, school, place of employment of the petitioner, or any specified place frequented by the petitioner and any designated family or household member;

With the order as well can be defined the rules of possession and use of an automobile and other essential personal effects, regardless of the ownership of the essential personal effects, and direct the appropriate law enforcement officer to accompany the petitioner to the residence of the parties to ensure that the petitioner is safely restored to possession of the residence, automobile, and other essential personal effects, or to supervise the petitioner's or respondent's removal of personal belongings;

With the order it is available to grant temporary custody of a minor child to the petitioner; and Order such other relief as the court deems necessary to protect and provide for the safety of the petitioner and any designated family or household member.

The court issues the order without hearing; in such manner also can be modified the content of the order.

The fact that abuser is forced to leave the place of residence and don't have relationship with the victim gives ability to discharge the situation and enables both parties to analyze the situation. Moreover, for the safety grounds the victim is not required to seek shelter and go to parents, friends or to any other place. The circumstance that in majority cases woman has no place to go to with child (children), frequently turns out to be basis of staying patient to any abuse revealing.

Utilization of civil law norms in domestic violence Court protection orders

The gravity of those acts, which are components of domestic violence frequently doesn't reach to that level to be characterized as offense of criminal law. In such cases the suit is not brought against the abuser, police don't imprison him or "the Ex parte restraining order" is not issued. And the act of violence continues exceeding. This circumstance made necessary to regulate this problem by norms of civil law. In correspondence with these norms, the victim of violence can apply to civil court with the request on protection order. In Austria it is called as "intermediary court restrain", that forces the abuser to leave temporarily the place of residence and restrains offender to have any relationship (direct or indirect) with victim. This procedure gives ability to protect victim from such kind of violence which, deriving from its gravity deems not to be violence, also to avoid direct contact with police. The intermediary court restrain extends out of parties residence area and covers larger territory, than temporary restraining order issued by police. The court may restrict the victim from visiting and remaining in such places as are kindergarten or school (in which his and victims children are going) or victims work place. Also the abuser is indicated to avoid relationship with other members of the family.

61. The seminar materials "How to fight (combat) with domestic violence" , OCSE Office for Democratic Institutes and human rights, The research and consultancy center of Caucasus Women, The National office for protection of woman and children from abuse, June 9-13, 2003

For the efficiency of protecting order victim's urgent complaint to the court is very important. For this purpose the injured party should be sure in correctness of this commitment. This indicates on the importance of immediate and efficient consultancy and psychological support of the victim. In Austria, the specialized private juridical persons provide such kind of consultancy and assistance. They are named as "interference centers", which were established in implementing process of the reform.

In Finland the restraining order was established in 1999 year. It was issued for the protection of individual's health welfare and safety, and it restricts other person, for example husband or adult of the full legal age, who maltreat the parents to have any relationship with the husband or parents.

There are two types of restraining order the Finland legislation: the essential restraining order means that the person, against whom the order was issued, is restricted to have any relationship with another person or attempt of relationship. The issued restraining order also restricts a person to appear nearby victim's place of residence and workplace. The appeal on restraining order can be submitted to police department or district court. The order is issued for one time with not more than one year duration. For the violation of this order, a person could be obliged to pay a fine or imprisoned for not more that one year. In 1999 year in Finland were issued 1000 restraining orders.

In USA here are several types of protecting orders. Deriving from gravity of violence danger, the abuser can be restricted from threatening to commit or committing further acts of domestic or family violence against the victim, family and household members; the abuser is prohibiting from harassing, annoying, telephoning, contacting or otherwise communicating with victim, directly or indirectly, the abuser has to stay away from victim's residence, school, place of employment, or any other specified place; also from possessing weapon and etc.

Despite to USA Model State Code, the person who is or has been a victim of domestic or family violence may request the order. If a victim is a child, a parent, guardian, or other representative may request the order.

The court that has jurisdiction over domestic relations has jurisdiction to issue orders for protection. Particularly, the court may issue the order according to:

- a) Where the petitioner currently or temporarily resides;
- b) Where the respondent resides;
- c) Where the domestic or family violence occurred.

There are different forms of requesting the orders and order forms elaborated and printed in advance, for the purpose to ease the procedure of order requesting and issuing.

The text of petitioning orders must contain the following sentence:

"Violation of this order may be punished by confinement in jail for as long as insert time period and by a fine of as much as insert amount"

62. Legislation in the Member States of the Council of Europe in the field of Violence against Women, Volume I, Council of Europe, Strasbourg, January 2001, p. 73

63. Model Code on Domestic and Family Violence, Family Violence: a Model State Code, National Council of Juvenile and Family Court Judges, 1994, Sec. 204, p. 4-5

If there is such order of the court, the respondent is forbidden to enter or stay at the petitioner's residence, even if invited to do so by the petitioner or any other person. In no event is the order for protection void.

Resolving the issue on the custody of a child

In case of domestic violence, while discussing the disputes over it the significant attention is paid to the issue of abuser parents relationship with a child, because the scientific researches revealed that violence in the family has severe impact on child, despite the fact whether she/he is the direct object of violence or not.

In the United States of America in every proceedings where there is a dispute as to the custody of a child, a determination by the court that domestic or family violence has occurred raises presumption that it is unfavorable to the child and not in the best interest of the child to be placed in sole custody, joint legal custody, or joint physical custody with the perpetrator of family violence.

While considering such proceeding in which the custody of a child or visitation by a parent is at issue and in which the court has made a finding of domestic or family violence:

a) The court shall consider as primary the safety and well-being of the child and of the parent who is the victim of domestic or family violence.

b) The court shall consider the perpetrator's history of causing physical harm, bodily injury, assault, or causing reasonable fear of physical harm, bodily injury, or assault, to another person.

If a parent is absent or relocates because of an act of domestic or family violence by the other parent, the absence or relocation is not a factor that weighs against the parent in determining custody or visitation.

While determining the custody of a child in case of family violence, the court as a rule makes decision in the best interest of the child to reside with the parent who is not a perpetrator.

If the fact of domestic violence occurred since court's verdict on the last custody, this decision can be revised because of act of violence.

A court may award visitation by a parent who committed domestic or family violence only if the adequate provision for the safety of the child made.

In a visitation order, a court may indicate that:

a) Visitation of a child should occur in a protected setting;

b) Visitation should be supervised by another person or agency;

c) Abuser parent should attend and complete a special disciplinary course;

d) Perpetrator of domestic or family violence should abstain from possession or consumption of alcohol or controlled substances during the visitation and for 24 hours preceding the visitation;

e) Perpetrator of domestic or family violence has to pay a fee to defray the costs of supervised visitation;

f) Abuser parent is prohibiting taking a child for overnight visitation.

g) Perpetrator is required a bond for the return and safety of the child.

h) Impose any other condition that is deemed necessary to provide for the safety of the child, the victim of domestic or family violence, or other family or household member.

64. Model Code on Domestic and Family Violence, Family Violence: A Model State Code, National Council of Juvenile and Family Court Judges, 1994, Sec. 302 (3), p.22

Whether or not visitation is allowed, the court may order the address of the child and the victim to be kept confidential. If a court allows a family or household member to supervise visitation, the court shall establish conditions to be followed during visitation. In many States of USA there are established special state visitation centers, where abuser parents are allowed for visit children under supervision to avoid any further threat of violence.

In many countries there are numerous issues that are regulated by special code or norms, such as the relationship of judiciary bodies, psychologists, guardians, and custody agency with a victimized child, as well the issues of giving evidence from child, to use a child as a witness at the trial and etc.

Domestic violence as an independent offense

The definition of Domestic Violence

The domestic violence as an independent type of offence exists in many countries. The most interesting situation in this regard there is in Latin American states, which have foreseen the elements of psychological abuse in the definition of domestic violence criminal law.

A) The United States of America

The definition of domestic violence is given in Model Code on Domestic and Family Violence, elaborated against domestic violence by USA National Council of Juvenile and Family Court Judges in 1994. According to Code,

Domestic or family violence means the occurrence of one or more of the following acts by a family or household member (but does not include acts of self-defense):

- a) Attempting to cause or causing physical harm to another family or household member;**
- b) Placing a family or household member in fear of physical harm;**
- c) Causing a family or household member to engage involuntarily in sexual activity by force, threat of force, or duress.**

The term "physical harm" is broadly defined by the court and includes such harms that might not typically be identified as a medical injury.

In abovementioned definition nothing is told about other form of psychological abuse except of duress and force (the last one can be identified as physical as well psychological abuse).

The model code as well demonstrates the definition of "Family or household members", which of course is indivisible part of domestic violence. According to the definition the term "Family or household members" includes:

- a) Adults or minors who are current or former spouses;**
- b) Adults or minors who live together or who have lived together;**
- c) Adults or minors who are dating or who have dated;**
- d) Adults or minors who are engaged in or who have engaged in a sexual relationship;**
- e) Adults or minors who are related by blood or adoption;**
- f) Adults or minors who are related or formerly related by marriage;**
- g) Persons who have a child in common; and**
- h) Minor children of a person in a relationship that is described in paragraphs (a) through (g).**

65. Model Code on Domestic and Family Violence, Family Violence: A Model State Code, National Council of Juvenile, and Family Court Judges, 1994, Sec. 102, p.1

66. Model Code on Domestic and Family Violence, Family Violence: A Model State Code, National Council of Juvenile, and Family Court Judges, 1994, Sec. 102, p.1

The USA Model Code for the aims of criminal law code includes different definitions of domestic violence. In this definition are assembled such offences considered within criminal law code, which represent the component acts of offence on domestic violence.

Regarding model code, for the aims of criminal law code the “crime involving domestic or family violence” considers the commitment of crimes against another family or household member when a family or household member commits one or more of the following:

1. Arson;
2. Assault Offenses (Aggravated Assault, Simple Assault, and Intimidation);
3. Burglary, Breaking and Entering;
4. Destruction, Damage, Vandalism of Property;
5. Homicide Offenses (Murder and Nonnegligent Manslaughter, Negligent Manslaughter, and Justifiable Homicide);
6. Kidnapping, Abduction;
7. Sex Offenses
9. Weapon Law Violations;
12. Stalking;
13. Trespass of Real Property.

This list is different for diverse countries, deriving from state’s criminal law legislation, but some acts might be newly criminalized.

B) Sweden

The Sweden Criminal Code has introduced a new offence, gross violation of a woman’s integrity, in 1998. It deals with repeated punishable acts directed by men against women who have or have had a close relationship with the perpetrator.

“Gross violation of a woman’s integrity” means that if a man commits certain criminal acts (assault, unlawful threat or coercion, sexual or other molestation, sexual exploitation, et cetera) against a woman to whom he is or has been married or with whom he is or has been cohabiting, he shall be sentenced for gross violation of the woman’s integrity, instead of for each single offence he has committed.

A necessary condition for sentencing for the new offence is that the acts were part of a repeated violation of the woman’s integrity and were intended to damage seriously her self-confidence.

The new crime makes it possible for the courts to increase the penal value of these offences in situations where they are part of a process that constitutes a violation of integrity, which is often the case in domestic violence.

It will thus also be possible to take into account the entire situation of the abused woman, or as we have mentioned above the domestic violence should be considered not as unity of separate conflicts, but as the one whole complex of abusive relations, which leads to the violation of victim’s internal integrity, private security, self esteem, and self-confidence.

The penalty is imprisonment for at least six months and at most six years. The new crime does not exclude the possibility of the perpetrator simultaneously being indicted for, for instance, aggravated assault or rape. Since the entry into force of the new provision, a number of judgments have been pronounced on the basis of the provision.

67. Model Code on Domestic and Family Violence, Family Violence: A Model State Code, National Council of Juvenile, and Family Court Judges, 1994, Sec. 102, p.3

68. Legislation in the Member States of the Council of Europe in the field of Violence against Women, Volume II, Council of Europe, Strasbourg, January 2001, p. 82

The role law enforcement agencies

a) Austria

According to law, law -enforcement agencies, they are requested to protect separate individuals from feasible act of violence. When the police are called because of the violence act, they should take urgent measures to ensure to efficient protection of individuals who are under the threat of violence.

In Austria before adopting the bill on “Protection against Violence in the Family” the abilities of law-enforcement agencies to execute this goal were too much limited. From the standpoint of Public Prosecutor Office and Court in those cases when it was expected that violence act could be replicated, the law enforcement agencies had the responsibility to react on act of family violence by imprisoning the offender. However, according to Austrian legislation the mild health injury was not sufficient reason for detaining the abuser on the motif of possible replication of illegal act. Besides, the judiciary institutes were not always ready to issue an order of detaining the abuser, that why the law enforcement personnel were forced to find out other way and means for the purpose to ensure the security of persons who were under the threat of violence. In majority cases the law enforcement personnel was capable only to give advice to victim of abuse to leave temporarily the private house in case of emergency and with children to go to another place, for example to parents, friends or in the shelter for the victims of physical abuse.

During the debate process related to the reform (1993-94 years), member parties recognized the negative parts of this procedure. It was mentioned that such act of police means not performance of the orders in the right manner. In the resolution of Austrian Federal Government that adopted on July 28, 1994, was indicated that:

“The main goal of the law enforcement personnel is the preventive protection from acts of violence. Nevertheless, the police interference means that it is no longer the victim of abuse who is forced to flee from the place of residence, but such kind of interference should be directed against the person, who endangers the safety of the victim. In that case when it is impossible to detain the suspected abuser, his temporary exclude from the house must be considered in order to avoid possible act of violence.

This aim was achieved on the grounds of amendments made in the Code of Police in May 1, 1997. According to these amendments under the legislation base was considered the temporary expel of the abuser from family home that in case of violence and restriction on coming back.

Regarding the Article 38(a) of mentioned code:

“If in view of certain facts, especially in view of a preceding assault, it can be assumed that a dangerous attack on the life, health or freedom of an individual is imminent, law enforcement officers are authorized to expel the author of such dangerous acts from the home (and from surroundings) in which the individual exposed to such threats, lives. Law enforcement officers must inform the perpetrator of the area of which he has to keep clear; this area is to be determined with due regard for the requirements of effective prevention. Law enforcement officers are furthermore authorized to prohibit the expelled person from returning to the premises defined. Also, Law enforcement officers are authorized to take all keys to the home held by the perpetrator; they have to give the

perpetrator an opportunity to take with him urgently needed personal effects and to obtain information on potential lodgings. If the perpetrator needs to enter the home he has been banned from, he shall only be allowed to do so in the presence of a law enforcement officer.”

As for the immunity on private life sphere determined in the Article 8 of The Universal Declaration on Human Rights and Liberties also relevant core rights (right on private property, carry of profitable activity), the restriction activity of returning to home place is regulated on the bases of proportional principle. Moreover, the issuance of a prohibition order by law enforcement authority shall be immediately examined by internal proceedings within 48 hours.

Before entering into force the Code on “Protection against Violence in the Family”, 150 specialists have been prepared jointly by the judges’ and NGOs’. These specialists were ordered to prepare almost every personnel from law enforcement agencies. The important issues related to the interpretations of the code, as are the internal organizational issues and the preparation of reports on police activity, is clearly defined in the administrative statement issued by Federal Ministry of Internal Affairs.

B. The United States of America

Also significant attention is paid to the role of law enforcement agencies in the situations of domestic violence in America. In the State Model Code against Domestic Violence is described in details the functions of law enforcement agencies. According to Code, the personnel of law enforcement agency should utilize all comprehensible means to avoid further act of violence:

- a) Taking the action necessary to provide for the safety of the victim and any family or household member.
- b) Confiscating any weapon involved in the alleged domestic or family violence.
- c) Transporting or obtaining transportation for the victim and any child to a shelter.
- d) Assisting the victim in removing essential personal effects.
- e) Assisting the victim and any child in obtaining medical treatment, including obtaining transportation to a medical facility.
- f) Giving the victim immediate and adequate notice of the rights of victims and of the remedies and services available to victims of domestic or family violence.

If the domestic or family violence with its severity and threat isn’t considered under criminal law, but leaving of an abuser in the family endangers victim’s security condition, the law enforcement officer has the right to issues the Ex parte (temporary) restraining order by the consent of the court, which is valid during 72 hours from the moment of issuance.

If a law enforcement officer has probable cause to believe that a person has committed a crime involving domestic or family violence, whether the offense is a felony or a misdemeanor, or was committed in or outside the presence of the officer, the law enforcement officer shall presume that arresting and charging the person is the appropriate response.

If a law enforcement officer receives complaints of domestic or family violence from two or more opposing persons, the officer shall evaluate each complaint separately to determine who the primary aggressor was. If the officer determines that one person was the primary physical aggressor, the officer need not arrest the other person believed to have committed domestic or family violence. In determining whether a person is the primary aggressor the officer shall consider:

- (a) Prior complaints of domestic or family violence;
- (b) The relative severity of the injuries inflicted on each person;
- (c) The likelihood of future injury to each person; and
- (d) Whether one of the persons acted in self-defense.

Threaten, suggest, or otherwise indicate the possible arrest of all parties to discourage requests for intervention by law enforcement by any party; or Base the decision to arrest or not to arrest on the specific consent or request of the victim; or the officer's perception of the willingness of a victim or witness to the domestic or family violence to testify or otherwise participate in a judicial proceeding.

A law enforcement officer who does not make an arrest after investigating a complaint of domestic or family violence or who arrests two or more persons for a crime involving domestic or family violence must submit a written report setting forth the grounds for not arresting or for arresting both parties.

A law enforcement officer without preliminary permission of the court has the right to detain the abuser in case of violation of protection order by the respondent. A law enforcement officer also shall seize all weapons that are found at the place of family or domestic violence.

If the court makes decision on pretrial release of the person, the court shall issue court protection order to ensure the safety and of the victim and inform victim about the order issuance. In terms of violation of conditions of release and order requests the person is subordinate to immediate detention by the law enforcement agencies.

At Governmental and non governmental levels The necessity of institutional collaboration

In the process of combating the family violence with the dynamic role of law enforcement agencies the decisive importance has the co-ordinate work of law enforcement agencies, court, social services and centers of protecting and securing the victims of violence. Without close collaborated work of those institutions even the best legislation is deemed to fail. That's why it isn't accidental that in every country, where the reform on domestic violence was implemented, the fundamental condition of these reforms was the creation of sustaining bases for this collaboration.

a) Austria

One of the best practices of close collaboration of state and non-governmental institutions still is revealed in Austria, where the law enforcement officers are obliged to inform the victim of violence about relevant centers for the protection of victims that is defined within the law. This obligation is the key element of the reform. It is based on the assumption that in case of domestic violence the state must not wait for the victim of violence to find the way to the counseling service, but must act and address the victim in this respect.

We should consider that the victim is in need of counseling for the purpose to obtain information regarding the ways and means which ensure the change of her private condition. However, in relevance with circumstances the victim is unable to avoid domestic violence on her own. The accumulated experience proves that without special assistance the victim do not request to issue court protection order. Deriving from abovementioned it is important that law enforcement agencies should immediately inform so called “intervention centers” about every restraining order issued by them. As soon as the center receives information it contacts the victim of violence for the purpose to offer to injured party the appropriate psychological, social, and legal support (Nine intervention centers are functioning all over the Austria).

On the ground of act on “Protection against Domestic Violence” in Austria as well was established the juridical base of information exchange, which is very important circle for the close collaboration of law enforcement agencies and victim’s assistance and counseling centers. The least one is informed about the intervention procedures and abusers commitment that is very important for the operation of centers supporting the victims of violence.

The key aspect of this kind of work on the one hand is manifested in submitting competent information to the victim and on the other hand expressing emotional concern and support towards her by increasing her belief with assistance and in difficult circumstances for the beginning of new life.

Besides, working in the sphere of individual social problems the “intervention centers” also play important role at the institutional level. These centers support the collaboration of appropriate state agencies and non governmental organizations, control their activities, and submit suggestions on further development of collaboration frame to consultancy council of victim’s protection that operates within Federal Ministry of Internal Affairs for the purpose to eliminate efficiently acts of domestic violence.

LEGAL PROBLEMS IN THE SPHERE OF DOMESTIC VIOLENCE IN GEORGIA AND THE WAYS OF ELIMINATION

Nino Bakakuri – Lawyer

The comparative analysis of the jurisdiction of the foreign countries with that of Georgia's as well as analysis of the interviews held with the representatives of Georgia's law enforcement services and the Public Prosecutor's office revealed the number of legislative problems which tend to hinder the prevention of domestic violence, struggle against it and protection of its victims' and witnesses' human rights. The aim of this paper is to analyze these problems and recommend the possible ways of their elimination.

Problem No 1 – Absence of definition of domestic violence

The absence of the definition of domestic violence in the Georgian legislation is the key problem, which impedes applying effective legal issues against this problem. Legal definition is important for the purpose of revealing the nature and major characteristics of domestic violence as a dangerous notion for public. Once defined it is easier to struggle against domestic violence and protect the rights of its victims. Without a clear definition, the ambiguity pertaining to the problematic issue of domestic violence both in terms of general public as well as law enforcement organs will continuously persist. Moreover, two definitions of domestic violence should be established one of them being the public definition listing all the components of domestic violence (physical, sexual, psychological, structural and intellectual violence) and the second referring to criminal justice and consisting of all the criminal acts to be considered as cases of domestic violence.

Adoption of the definition of domestic violence is important not only for imposing legal measures but also for scientific purposes. Definition of domestic violence will make it possible to process statistical researches which on its turn is important to define the phenomenon of domestic violence and gauge its scales in Georgia.

Problem No 2 – Relying on the victim's initiative for initiation of a criminal case against domestic violence

The majority of offences referring to domestic violence are qualified as private and private/public prosecution cases that means that the criminal proceedings can only be initiated based solely on a victim's claim. In addition, private prosecution cases can be terminated upon reconciliation of a plaintiff and a perpetrator. While the private/public prosecution cases can not be necessarily terminated due to the reconciliation, the prosecutor may take into consideration the possibility of termination because of the possible threats both to a plaintiff's and perpetrator's interests.

This circumstance, a trivial as it may seem from the first sight, together with other factors seriously affects the proceedings of cases qualified as domestic violence in law enforcement organs.

Reliance solely upon the victim's statement while initiating the criminal cases against domestic violence is the legislator's major mistake that many countries have experienced.

A must of presence of victim's statement in order to initiate a prosecution case against domestic violence leads to non-initiation of cases or termination after initiation due to the withdrawal of a claim by a victim or "reconciliation" of a victim and perpetrator.

The results of the interviews with the representatives of the law enforcement organs have corroborated to the above given statement. While answering the question "Whether or not you have encountered with any problems while investigating the cases of domestic violence and if yes what kind of problems you normally come across" the great majority of the respondents named varying attitudes of victims to the cases of domestic violence. It was stated that during investigation process victims often change their attitude towards perpetrators. While in the process of filing a case against the perpetrator the victim is firm in her/his decision, demands unprobational punishment of the perpetrator and recollects the previous offence, after a while she/he may soften his/her stance over the perpetrator, prevaricate from the circumstances previously stated in the claim and sometimes even withdraw the claim after "reconciling" with the perpetrator.

The same reasons have been named by the representatives of the Public Prosecutor's Office. They stated that the low rate of punishment in the cases of domestic violence is the result of victims' attitudes to the problem. The victims try to escape relations with the law enforcement organs. There is so called a "complex of fear" making the majority of victims scared of going to the police. The majority of the victims think that if their "tip off" or "denounce" their perpetrators by going to the police this will result in deterioration of their in-live situation. The perpetrator even after being punished is not likely to forgive the victim's denouncing him/her. Even those victims who go to the police suffer from the "self-blame complex" that makes them passive and less proactive during the investigation process.

After making familiar the research materials about domestic violence victim's psychology, such behavior will be easily explained. The matter is that the fear of a victim towards a perpetrator represents one of the most important components of the domestic violence chain determined by the absence of the victims' protection mechanisms, negligence and often negative attitude of general public and law enforcement services towards them and their problems.

As for the "self-blame complex" it is strongly related to the well-known phenomenon in the psychology known as the "hostage syndrome" to refer to sympathy which a victim including domestic violence victim may feel to a perpetrator. This syndrome is engendered by:

- Serious long threat to a victim's health or life
- Feeling that there is no escape from a perpetrator/villain

- Victim's belief that a perpetrator values his/her behavior and "awards" or "punishes" for good and bad behavior respectively

This condition makes a victim concentrate on solely one problem – how to please a villain. In order to get the highest score a victim tries to imagine what he/she would like to do, wish or want if he/she were a villain. All these factors lead to a victim's solidarity towards the perpetrator and make believe that she/he is to blame in everything that has happened. This is supported by the attitude of the general public and law enforcement organs as well boosted by the results of the interviews.

Majority of the police and public prosecutor's office representatives think that major instrument that causes domestic violence is woman psychologically terrorizing men. As they say such so called "psychological terror" is often practiced by women and men with over-burdened psychic condition can not resist and endure such critic and nagging encouraging them towards violence. As stated by the most Public Prosecutor's Office employees such irritable behavior of women and often intervention of the third party (for example that of mothers-in-law) serve as the agent for violence.

Trend of blaming the victims for offence is the worst form of ignorance of domestic violence victims. Has a woman victim not been so irritable she would not have been violated, beaten, raped – this conclusion suggest that the victims of the violence are guilty themselves in what has happened to them. This trend leads domestic violence to acquire more systematic nature.

The police and law enforcement organs' representative think that the best way out of this kind of situation is reconciliation in order to keep a family unsplit. This "human" approach as it may at first seem, leads to disastrous results. Majority of private and private/public prosecution cases end up with reconciliation. Based on the cyclic nature of violence a peaceful phase naturally follows an aggressive phase and victims, due to the extremely undesirable situation around them, are forced to withdraw their claims or reconcile with their perpetrators at the court sessions. This often leads to repeated acts of violence with more zeal and aggression. Added to that, according to the Georgian legislation the proceedings are terminated as soon as reconciliation takes place.

Generally, reconciliation is deemed as positive event as it requires compromise from both side. However, unfortunately in the case of domestic violence, victim is the only party who compromises. Compromise means participation and will of two equal parties agreeing to make effort to balance their interests but domestic violence means that there are no equality one of them (victim) being under the influence of the other. This makes it difficult to achieve balance between two parties and there is always the fear that the victim will happen to be controlled and depressed by the perpetrator in his effort to evade responsibility.

In this regard the practice of truce exercised in the United States of America is of special interest since it implies reconciliation only after a villain confesses the damage he has done to a victim and agrees to take responsibility for this. This practice ensures that a

perpetrator does not escape responsibility and a victim gets reimbursement for emotional, material and physical damage she has undergone.

The implementation of this practice in the Georgian legislation will bring positive effects to the current situation.

Problem No 3 – Absence of the Victim’s and Witness’ testimonies

One of the major cause hindering the prosecution of the domestic violence cases in the Georgian courts is the absence of the testimony by victim and/or witness as stated by the representatives of the police and other law enforcement organs. The Article 204(2) of the Georgian Criminal Procedural Code according to which witness victim and witness can abstain from testimony being the close relatives of perpetrator is the factor, which hinders case prosecution in regards with the domestic violence. Due to the law legalizing abstinence from testimony investigative and other related services are constantly facing the lack of evidence to support case prosecution.

Problem No 4 – Inadequacy of Punishment for committing domestic violence

The cases of domestic violence unless they end up with extremely severe results are qualified as non-severe crime the punishment for which is determined with maximum of 5 year’ imprisonment. In most cases punishment suggests fine, limitation of freedom and 1 year sentence. Moreover, the practice suggests that those who commit the domestic violence crime are given probational sentence up to 5 years, which is absolutely inadequate to the degree of danger that domestic violence cases can pose upon the society.

Problem No 5 – Inefficiency of Human Rights Protection mechanisms in regards with the domestic violence victims and witnesses

While processing and investigating the cases of domestic violence the inefficiency of safety measures to protect victims and witnesses is a serious hindrance. Neither public not law enforcement organs should not expect victims and witnesses to be active due to absence of safety guarantees.

Besides, Georgian legislation does not provide free medical, psychological or legal assistance to the victims of domestic violence. There are no legal basis to arrange for and provide accommodation and assistance facilities either that are shelters and rehabilitation centers.

Problem No 6 – Irrelevant regulation of domestic violence under the Civil Code

The Georgian civil legislation is found to be inadequate in regards to the problems related to the domestic violence issues. Civil and civil procedural codes do not cover provisions which would make it possible to solve the set of problems pertaining to the domestic

violence (such as issuing protection orders, reimbursement emotional and material damage, child and villain parent relation) in terms of civil code.

Civil (namely, family and procedural) legislation should be amended and suggest innovative way to regulate family member's rights and responsibilities in the setting of domestic violence.

By means of the list given below we have tried to lineate all the shortages that the Georgian legislation has in comparison with the international standards.

Table 1. Comparison of the Georgian legislation and international standards in the context of domestic violence

Georgian legislation	International standards
Most of crimes qualified as domestic violence require victim's complaint to proceed and stops upon reconciliation of victim and batterer	Most of cases qualified as domestic violence crime are processed upon a prosecutor's initiative and do not stop upon reconciliation
In most of cases of domestic violence where no specially severe offence has taken place, victims and batterers share the same space. Victim is forced to leave home and seek shelter with relatives, friends or stay with a batterer with the threat of repeated acts of violence	<ul style="list-style-type: none"> ▲ In case of domestic violence batterer is forced to leave the house where victim resides regardless his rights on the ownership of the property and is deprived of the rights to communicate with a victim in either way be it telephone communication or reach approach a victim's living or work place on a certain distance ▲ Protection orders are issued regales whether or not a batterer's act is qualified as a crime. In case the batterer's act requires pre-detention the order is issued upon his release. In all other cases, where the act of the batterer is not qualified as a crime, the protection order is issued upon the victim's complaint under the rules of civil case proceeding.
There are no feasible mechanisms to protect victim against threats, danger, revenge or repeated violence unless the decision is made on sentencing batterer to pre-detention	There are so called limitation and protection orders issued on the basis of victim's request or by a police officer on his/her own initiative on the scene of domestic violence after assessing the situation. These orders prohibit the batterer to reach the victim on the set distance or communicate including phone communication. Violation of these orders is

	qualified as criminal act and is subject to imprisonment.
The mechanism of protection measures provided by the law during the pre-investigation and at the court hearings is yet to be perfected.	There is a special system to protect victims and witnesses during pre-investigation and court hearings
There are no free medical, psychological and legal assistance to the victims of domestic violence to be provided by the Law	Nongovernmental organizations receiving financial support from the state budget render free medical, psychological and legal assistance to the victims of domestic violence.
There is no legal basis to provide foundation and functioning of specialized institutions for domestic violence victims, such as shelters.	There are specialized centers and shelters functioning within the nongovernmental organizations, which help domestic violence victims overcome the stress caused by the acts of domestic violence, become aware of their current condition and learn to protect their rights given by the Law
The mechanisms of compensation material and emotional damage are not efficient for the domestic violence victims	The legal mechanisms of compensation providing reimbursement for physical, material, emotional and social damage are very important for effective rehabilitation
The criminal code does address the issue of special requirements of children being the victims and witnesses of domestic violence (and generally of crime).	There are number of rules on how to treat the children being the victims and witnesses of domestic violence and how to take testimony from them
Civil Legislation while dealing with the issues of divorce as well as delimitating the rights and responsibilities between parents and their children does not taking into consideration occurrence of domestic violence in families	The occurrence of domestic violence is taken into consideration while dealing with the divorce case proceedings, as well as while delimitating the rights and responsibilities between parents and their children, as well as other members of families

All the above said proves that opinion that Georgian legislation completely addresses and covers the issues related to the problems of domestic violence in the country is not correct. The keystone for this inappropriate opinion is that Georgian criminal code completely covers and addresses the domestic crimes. However, this is not a valid argument to prove the effectiveness of Georgian legislation. The grassroots reform is necessary in order to make the legislation effective instrument for the struggle against domestic violence in terms of victims' human rights protection.

Recommendations

Based on the analysis and results of the research, adoption of following measures in order to make the issues of domestic violence prevention, anti-violence activities and victims' and witnesses' human rights protection fully addressed and covered:

1. Complex law to be worked on with implications of the following issues: definitions of concepts, domestic violence prevention, measures against it, victims' and witnesses' human right protection, peculiarities of criminal and civil case proceedings in relation to domestic violence as well as peculiarities of cooperation of those state and public agencies who work within the sphere of domestic violence.
2. Two faceted definitions of domestic violence to be adopted one of them being for the purposes of the law against the domestic violence covering the complete lists of those elements constituting the domestic violence (physical, sexual, psychological, economical, structural and intellectual violence) and the second – for the purposes of criminal code, providing the list of those crimes that are referred to as domestic violence.

The definition of domestic violence should address violence to: a spouse, a partner, ex-spouse and ex-partner, girlfriend (regardless whether or not the latter lives with the batterer), relatives (brothers, sisters, parents, children) other in-live persons and servants.

3. Crimes of private and private-public prosecution case of committed to family members should be transferred under the public prosecution case category.
4. Crimes committed to the family members should be subject to more severe punishment
5. The right of victims and witnesses provided by the Article 204 of the Criminal Code to withhold from testimony against their close relatives should be annulled
6. The mechanisms of assistance, protection and rehabilitation of domestic violence victims and witnesses and their rights should be perfected in a way that they can provide the following urgent and long term services to the victims of domestic violence:

Emergencies cover:

- ▲ 72 hour crises service
- ▲ permanent access to such type of service
- ▲ immediate referral to medical facility or shelter
- ▲ emergent medical assistance
- ▲ Immediate legal advice
- ▲ Crisis service provision in order to create feeling of support and protection
- ▲ Elaboration of long-term rehabilitation programs both for victims and their batterers
- ▲ Implementation of domestic violence programs independently from social protection programs

- ▲ Establishing free “hotlines” with the monitoring of incoming calls and generalization to create the common database
- ▲ Treat domestic violence victims with respect and protect their confidentiality using specially trained staff (mainly females) to pursue these principles
- ▲ Implementation special standards while treating the children victims of domestic violence and creation special services

7. Urgent (temporary) limitation and legal protection orders to be adopted

The practice of temporary limitation orders should be applied in case of batterer’s not appearing in court or it is impossible to summon him to court because he is hiding. Such orders might possibly imply the legal prohibition or preventive measures to prevent batterer from hindering victim to use necessary items including the premises under joint possession.

The right to demand unilateral temporary limitation order should be given to other persons like witnesses of domestic violence or persons providing professional services to domestic violence victims.

If the life, health or safety of the victim is under the threat the court should issue the order within 24 hours from the occurrence of the act of domestic violence. The order should be valid during 10 days after its issuance and its violation should arise the case under criminal code.

Protection orders. A victim, her relative, social worker or a person supporting the victim should have the right to demand the protection order. Protective orders are meant to protect the above mentioned persons from repeated acts of violence or threats.

The protection orders should be issued before the expiry date of unilateral limitation order or independently from it. The court should appoint hearing on the issuance of protection order within 10 days from the referral.

While dealing with the issue whether or not to issue the protection order, the onus to prove the contrary should be on the batterer.

The copies of the confirmed protection order should be sent out to all police departments based on the address of residence of either victim and/or batterer. Violation of the protection order clauses should engender criminal case proceedings.

If a victim is unable to pay a court fee, limitation and protection orders should be issued free of charge. If a plaintiff’s claim is disloyal or lacks in common sense, she might be imposed to reimburse the damage to defendant by her complaint.

7. Changes and amendments to be made to the Civil Code (namely family and procedural codes) in order to deal with the issues related to the personal and property rights and responsibilities in the context of domestic violence. Namely: innovative ways to regulate issues of protection orders, compensation of material and emotional damage

8. Foster care regulations to be included in the civil code on children who have suffered domestic violence. In terms of domestic violence and its consequences, special attention should be paid to the relations between batterers and their children since the numerous scientific researches on the issue have proved that domestic violence badly affects a child regardless his/her being a direct subject of domestic violence or not.

While dealing with the cases where foster care or visit to children by either party is concerned, the court should base its decision on the following:

- (a) to consider the safety and welfare of a child, as well as the safety and interest of a child's parent
- (b) to consider the type, degree of risk to public and severity of a crime or offence by a batterer qualified as domestic violence.

If either of parents is absent at the court while hearing the base of trusteeship on a child, and this is caused by committing the act of domestic violence by another party, this circumstance shall not be used against the absentee.

The court's decision on the guardianship in the context of domestic violence should be favor that parent who has not committed the act of domestic violence.

If the act of the domestic violence takes place after the court has already made a decision on the guardianship, this decision may be revised because of acts of domestic violence

Only if the safety measures of the other parent are taken can Court allow the batterer visit a child

While issuing the permission to visit a child the court is in the authority of stating that:

- (c) a child should be visited on a place that is secured
- (d) a child should be visited under the supervision of another person or institution
- (e) a parents who has committed the act of domestic violence should take corrective course
- (f) a parent who has committed the act of domestic violence should abstain from drinking alcohol or taking any similar substance 24 hours before and after visiting a child
- (g) a parent who has committed the act of domestic violence should pay the fee for supervision while visiting a child
- (h) a parent who has committed the act of domestic violence is forbidden to take a child overnight
- (i) to ensure that the batterer parent shall return a child safe and sound
- (j) to take any other measure for the safety of child, a victim parent of domestic violence or for any other member of the family

The court has the power to keep discretion the address of both mother and a child regardless whether or not it allowed visiting a child.

If the court takes decision to allow any member of the family to supervise the visits, it must underline in details the rules of visits.

10. The relations between the children victims, law enforcement organs, psychological and other services, as well as procedures and norms taking testimony from a child and witnessing at the court hearings should be regulated by the Law

11. The proactive methods to protect the victims of domestic violence should be encouraged while having active contact with the victim instead of waiting for the latter's referral.

12. The role of law enforcement organs to be paid special attention in the context of domestic violence. The roles and functions of law enforcement officers working on the scene of the domestic violence should be strictly defined. Officers should be empowered to use all the reasonable weapons to protect the victim and prevent further violence. The weapons should include:

- (a) to protect victim's and his/her family members' personal safety
- (b) to deprive the batterer of any kind of weapon
- (c) to put at risk their own life and put children in appropriate shelter
- (d) to assist victims and children in getting medical help and refer them to the medical facility if need be
- (e) to explain victims his/her rights and handover these rights in the written form so that the victim can read through thoroughly in calm atmosphere

If the severity of the act of domestic violence is not qualified as the criminal act, but leaving the batterer in the premises puts at risk the victim's safety, the low enforcement officers should be empowered to issue immediate limitation order upon the court's approval valid during 72 hours.

13. The mechanisms of cooperation between the law enforcement organs and public institutions in order to facilitate prevention of domestic violence, struggle against it and to secure the victims and witnesses' safety to be created.

Legal base for data exchange should also be formed to support cooperation between low enforcement organs and those organizations which work in the sphere of victims' rights protection.

14. To form "consultancy council for violence prevention", which shall carry out the monitoring of the activities in the settings of domestic violence and collaborate suggestions in order take further measures to address the issues of domestic violence prevention and victims' and witnesses' human rights protection.

ISSUES OF DOMESTIC VIOLENCE FROM THE MEDICAL REPRESENTATIVES' POINT OF VIEW

Rusudan Imedadze – psychologist

The aim of the Research was to reveal the major trends and issues in the health sphere related to domestic violence as well as to assess the extent of physicians' experience in this respect, the types of violence they encounter with and their responses when they have to deal with victims of domestic violence.

The research presented below does not claim to be statistically reliable one since the number of the physicians interviewed was few – 57 persons. It bears not scientific, but rather a pilot nature and we can only guess and discuss trends, not the statistics. Nonetheless, we think that its result will help to plan more effective measures which will enable the health sphere to take an active part in the series of activities of the governmental structures aimed at solving the domestic violence problems.

The primary healthcare unit which are within the immediate contact with the population and family problems are polyclinics and medical emergency service and therefore we think that doctors working in these services have the most experience of dealing with the victims of domestic violence. About half (49.1%) of the doctors interviewed was represented by the medical emergency service (03) doctors while the rest of the respondents were selected from Tbilisi's different polyclinics.

The age range of the respondents is quite wide – from 25 to 70 years old. The age difference is reflected on the lengths of work experience the shortest being 1 year and the longest 46 years (See Table 1)

Table 1.

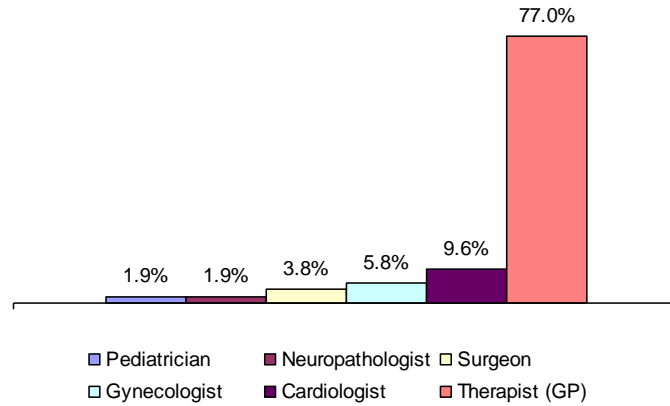
	Minimum	Maximum	Average
Age	25 years	70 years	46,7 years
Work Experience	1 year	46 year	21, 04 years

The spectres of the respondents' experience is presented as follows (See graph # 1)

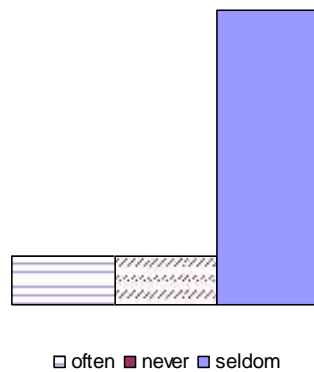
It is noteworthy that the responses do not rest on any documentary evidence or material. They are based on memory, experience and most frequently on intuition.

Majority of the respondents – 87,7% says they have had patients whose health had been deteriorated due to domestic violence. 75,4% indicates that the occurrence of such cases is not frequent (See Graph 2), however, 12,3 % of the respondents points out that they have seen many cases of damaged health due to domestic violence.

Graph 1. Specialization



Graph 2. Complaints on increased health problems as a consequence of domestic violence



We tried to get more definite data on the frequency of domestic violence cases in the healthcare’s practice and asked our respondents to mark down the number of the domestic violence victims in during a given period of time (See Table 2).

Table 2.

Month	1-10 patients	6,1%
Quarter	1-10 patients	10,2%
Quarter	10-20 patients	10,2%
Year	1-10 Patients	71,4%
Year	10-20 patients	2.0%

71.4% of the respondents pointed out that only 1 to 10 cases account to domestic violence in their practice while the rest of them put 1 to 10 cases in a shorter time frequency. If we put these data on the average we will see that the figure standing for the deteriorated health condition is quite considerable.

It is also worth noting that patients often keep the facts of domestic violence in discretion from healthcares.

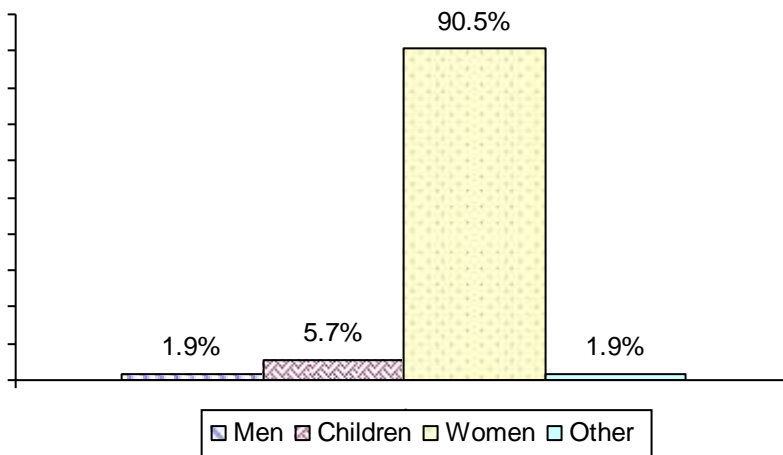
Table 2. Question #6. How many cases of deterioration women’s health due to domestic violation have you had in your practice?

In number of cases, unless the acts of domestic violence is physical and direct, patients may even not be able to identify the actual cause of their illness.

Therefore, qualification of disease and complications as results of domestic violence is extremely difficult and sometimes entirely based on doctor’s experience and intuition.

Almost all our respondents unanimously (90,6%) agreed that woman is the victim of domestic violence (See Graph 3) and therefore practically only women suffer from the health problems caused by acts of domestic violence.

Graph 3. Who is the victim of domestic violence?



When discussing the reasons of referral by the victims of domestic violence to medical facilities, it turned out that psychological traumas rather than physical injuries (both serious and light) serve as reasons for referrals in most cases (See Table 3 & Table 4).

Table 3. What kind of complaints have you met while dealing with domestic violence?

	Distribution
1. Light bodily injuries	34.1%

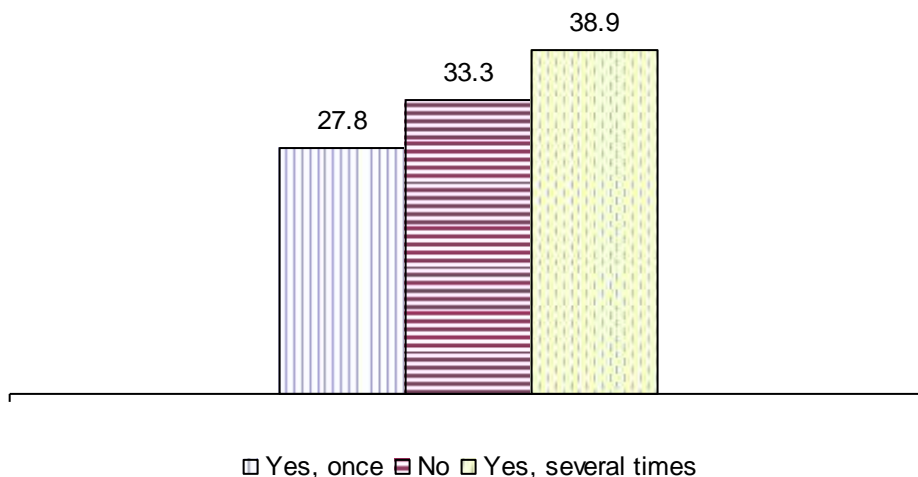
2. Severe bodily injuries	12.1%
3. Organic changes/diseases	6.6%
4. Psychological traumas	44.0%
5. Other	3.3%

Table 4. Question #5. What kind of health risks due to domestic violence have you heard from you colleagues that they had?

	Distribution
1. Light bodily injuries	33.0%
2. Severe bodily injuries	15.6%
3. Organic changes/diseases	10.1%
4. Psychological traumas	41.3%
5. Other	0.0%

The matter is that apart from physical form (battering, torturing etc) of domestic violence there are many other forms including forms of psychological violence covering a wide spectre of prohibitions and pressures. This form of violence though less noticeable has an dramatic effect on personality. That’s why women complaint of psychological imbalance as a result of domestic violence in majority of cases. A patient being under the extremely sever presser even tried to commit suicide. 72.2% of doctors points out that they have seen the cases of suicide as a result of domestic violence in their practice (See Graph 4). This is indeed a high rate and needs deeper analysis and taking preventive measures be it legal or psychological-rehabilitation.

Graph 4. Have you seen any cases of suicide because of domestic violence in your practice?



As for the organic physical bodily injuries majority of the respondents named comotio, hematoma, ushib (See Table 5).

	Distribution
1) Wound	12.9%
2) Burn	1.4%
3) Ushib	25.7%
4) Breakage	5.0%
5) Joint dislocation	0.0%
6) Hematomme	20.0%
7) Comotio	21.4%
8) Early Deliveries	2.9%
9) Abortion of Pregnancy	2.9%
10) Bleeding (vaginal and other)	5.0%
11) Injuries to vision	2.1%
12) Other	0.7%

Table 5. Question #11. What kind of injuries caused by the acts of domestic violence have you met?

Judging from the data provided herein, every tenth victim suffers from sever gynaecological problems including bleeding and early abortion. Next question dealing directly with the early abortion due to physical violence vividly shows the existence of this problem (See Table 6. Question 20). 60.4% of the respondents indicated that they have rarely seen such cases among their patients while 3.8% says they have often encountered cases of early abortion among their patients.

Table 6.

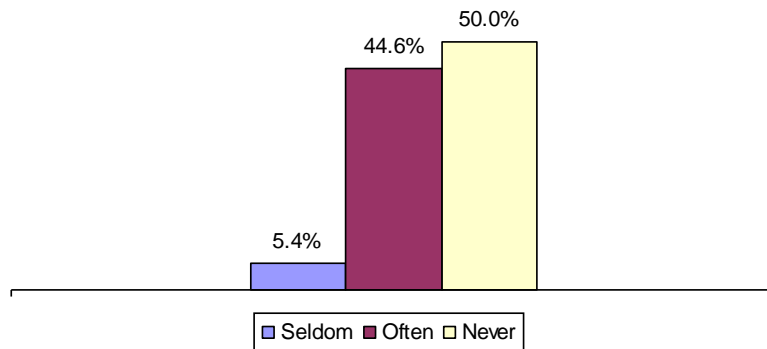
	Never	Often	Seldom
Q #19. Have you ever had in your practice or have you ever heard from your colleagues that a woman had an urgent operation on?	46.6%	1.9%	51.95
Q #20. Have you ever had in your practice or have you ever heard from your colleagues that a woman lost her baby due to early abortion?	34.0%	3.8%	62.2%
Q #22. How often do you or your colleagues have cases when a woman was subject to domestic violence because of her infertility?	30.9%	18.2%	50.9%
Q #27. Have you ever report to Police on the fact of domestic violence?	55.8%	28.8%	15.4%

Local gynaecological injuries might cause further complications at deliveries or even infertility, which might serve as “cause” to put a woman under domestic violence which is in most cases psychological. The respondents’ answers corroborate to this fact. Responding to the Question 22 (How often do you or your colleagues have cases when a

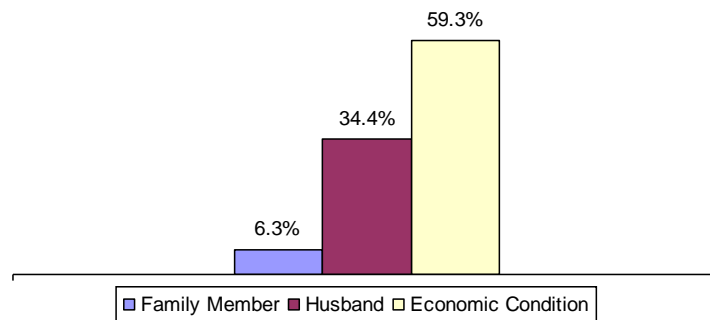
woman was subject to domestic violence because of her infertility?) more than two third of the respondents has seen such cases during their practice and 18.2% among them has eyewitnessed such violence.

One of the forms of the domestic violence is to force a woman to have an abortion. These are cases, when a woman does so unwillingly and independently from herself. 50% of our respondents said they were “familiar” with such cases (See Graph 5).

Graph 5. Have you had in your practice that woman had an abortion under somebody orther’s pressure.



The most wide-spread and popular excuse of the early abortion is the current socio-economic condition because of which a woman can not afford having another child. In such cases the violation vector is shifted from a human being to a circumstance. But as the considerable part of the respondents indicates, there are cases when a husband forces her wife to have a abortion.(Graph 6, #6). Who forced a woman to make an abortion?



In some cases, the real cause of abortion is the gender of unborn child (Selective abortion). Judging from the high rate of this question (Graph 7) it can be presumed that the selective abortion is indeed the widespread event in our country. Though our questionnaire was not meant to find out undesirable gender, but we think it is feminine gender due to the patriarchal traditions dominating in the country where a baby boy is the subject of pride and honour.

Graph 7. Abortion due to undesirability of gender



Domestic violence is generally tabooed in the society. Women are ashamed to confess that they are under presser and therefore they try to keep the confrontation and rows in the family secretly.

If a woman breaks the taboo and refers to medical facility, this is considered as a special case and healthcarers have to deal with the serious health risks which often required urgent surgery. (see Table 6, Question # 19). The fact that woman only refer to medical facilities only when the emergency medical assistance is required, accounts to higher referral of victims to emergency assistance than to policlinics (See Table 7)

Table 7. Question #2. Have you ever had patients whose health condition had been deteriorated due to domestic violence?

	Never	Often	Seldom
Ambulance	7.1%	14.3%	78.6%
Polyclinics	30.0%	10.0%	60.0%

As already mentioned above, woman tries not to reveal the facts of domestic violence as humiliating to her dignity. We would also underline the fact that unless the bodily injuries are too sever, men find it easier than women to reveal the facts of domestic violence to the public based on the fact that while committing the acts of domestic violence men are believed to be virile, strong, brave and principle. Therefore, while referring to medical facilities women try to avoid telling real causes of their injuries and illness (See Table 8) or at least requests healthcarers to protect confidentiality (See Table 9).

Table 8. Question #8. How many women out of general number said the real cause of their injuries and illness was domestic violence?

	Distribution
up to 10%	83.7%
10%-30%	6.1%

30%-50%	6.1%
50%-70%	0.0%
70%-90%	4.1%
100%	0.0%

Table 9. Question #21. Has any woman being the victim of domestic violence ever asked you to protect her confidentiality?

	Distribution
Always	23.1%
Never	15.4%
Often	32.7%
Seldom	28.8%

Another problematic issue which might often bring about acts of domestic violence is so called “virginity institute”. Based on the empirical data we had known that there is a practice of reconstructing virginity apki.

It is noteworthy that nowadays restoration of virginity valve is internationally considered as dangerous for women and which is applied to due to cultural and historical peculiarities in some countries.

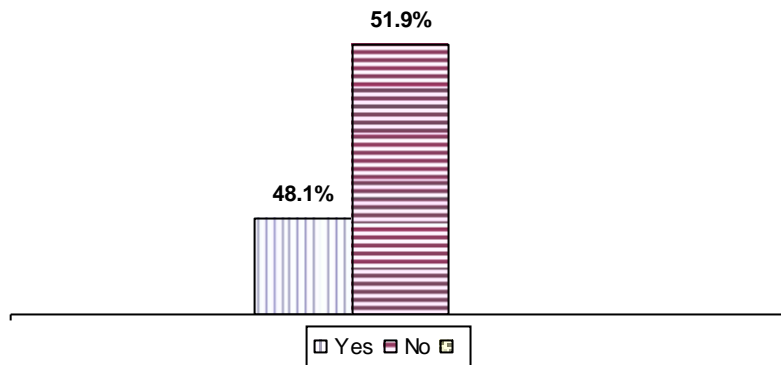
We tried to find out how often patients refer to medical facilities to have their virginity valve restored (See Table 10).

	Never	Often	Seldom
Q #23. How often do the cases of restoration occur?	68.8%	2.6%	25.0%
Q #24. Have you ever been referred to for such an operation?	83.7%	4.1%	12.2%
Q #25. How often do your colleagues have patients with such requests?	63.0%	15.2%	21.0%

Had only gynaecologists been interviewed on this issue we would have had wider picture on this problem. However, it is vivid that this is an acute problem in the country.

Majority of doctors interviewed (79.2%) said they emphasise the issue of domestic violence and ask patients whether or not they have been victims of domestic violence. However, if given positive answers the doctor’s response often remains chaotic. They often get confused that try to determine which response would be more adequate to the situation. This problem arises due to absence of structure which would regulate this sphere. Besides, doctors are not given any clear instruction to follow or instrument to use in such cases. We found it reasonable that majority of doctors do not address the police while encountering the facts of domestic violence (See Graph 8).

Graph 8. Question #26.



Conclusion and Recommendations

- ⇒ Domestic violence with numerous forms of expressions quite often occurs in the medical practice. 87.7% of doctors have seen in their practice injuries and illnesses caused by domestic violence
- ⇒ Woman is the victim of domestic violence and therefore she is the one with injuries caused by the domestic violence most frequently
- ⇒ Every tenth woman suffers from gynaecological problems (bleeding, abortions, early delivery)
- ⇒ Doctors often encounter forms of injuries like comotio, ushibi. caused by domestic violence
- ⇒ Psychological traumas occur more frequently than physical ones resulting in suicide efforts
- ⇒ While encountering the cases of domestic violence majority of doctors do not inform the police.
- ⇒ Doctors' response to the acts of domestic violence is chaotic due to absence of adequate instruction to follow, or any medical or legal documents to be used and relied upon when need be.

1. We think that precise mechanism for doctors to react to the cases of domestic violence and system which would instruct them to react adequately should be urgently worked out.
2. We recommend that special services be founded within the healthcare facilities to deal with the domestic violence cases. Such services will also have instrument to qualify cases as of domestic violence's, deal with different infrastructures and obtain consultations and expertise of doctors of different specialisation on cases of domestic violence.
3. Trainings to be held in order to enhance level of knowledge of healthcarers on domestic violence and their awareness in this respect.
4. Doctor's regulations to be based on legal document and therefore legal regulation of domestic violence is also highly recommended.

5. Due to stereotypes which prevent women from timely referral to healthcare facilities in spite of health risks because of their shame to reveal such facts to doctors, we recommend to work out the way which would guarantee women referring to healthcare facility anonymity (other than verbal promise) which would on its turn improve the referral of the domestic violence female victims to healthcare facilities thus preventing themselves from severe health risks and further deterioration of their health condition.

MANIFESTATION OF FAMILY VIOLENCE FROM THE POINT OF VIEW OF TEACHERS

One of the most sensitive indicators of domestic violence is deemed to be direct and indirect influence of it on children. The issue has been within the focus of many scientists of different countries. It is believed that domestic violence direct or indirect badly affects the child's development as personality. Below are listed some of these effects:

- ⇒ children who witness the acts of domestic violence share the same emotional stress of those being the direct victims
- ⇒ domestic violence affects children's learning ability. They lack in ability to concentration and have normal communication with their peers
- ⇒ child learns violent behaviour. In their adolescence age boys from the families frequently undergoing domestic violence are more aggressive while the girls are dependent, passive, nervous and less relaxed.

We underlined one of the aspects of this global problem and set the goal to find out the teachers' point of view regarding the acts of domestic violence in children's families.

We tried to find out how informed the teachers are on the children's family environment and whether or not they think that domestic violence is reflected on children and if yes, what kind of complications they might cause as well as what they think is the most effective measure to deal with the problem.

Our questionnaire starts with the demographic question blocks. Overall number of the teachers interviewed is 118. 75 out of them works in Tbilisi and 43 in the regions (see Table 1).

Table 1.

	Number	Per cent
Tbilisi	75	63.6%
Region	43	36.4%

In our selection of teachers the female teachers outnumber the male ones which once more proves that in secondary educational institutions the rate of female employment considerably exceeds that of male employment (See Table 2).

The age range and the work experience respective are different. We have grouped them in a following way (See Table 3)

Table 2.

	Number	Per cent
Female	104	88.1%
Male	14	11.9%

Table 3.

Work Experience	Number	Per cent
1-5 years	10	8.5%
5-20 years	61	51.7%
Over 20	47	39.8%

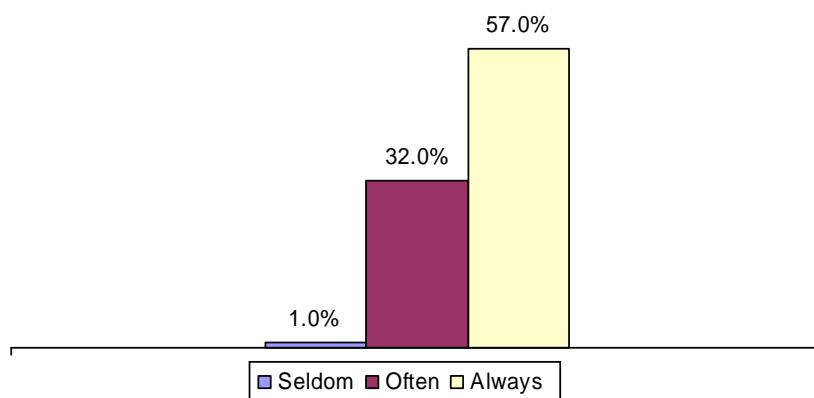
The most of the teachers interviewed teach at the secondary classes (51.7 %), 39,8% teaches 9-11 forms and the rest at the primary classes (See Table 4).

Table 4.

Work Experience	Number	Per cent
1-4 classes	10	8.5%
5-8 classes	61	51.7%
9-11 classes	47	39.8%

Teachers unanimously declare that domestic environment affects child's development. No negative response was stated in this regard. 66.7% of the teachers think that family environment always affects the children's development while 32.2% thinks thins the influence is frequently revealed and if relations within the family is somehow complicated it always affects child (See Graph 1).

Graph 1. Do you think that family environment affects child?



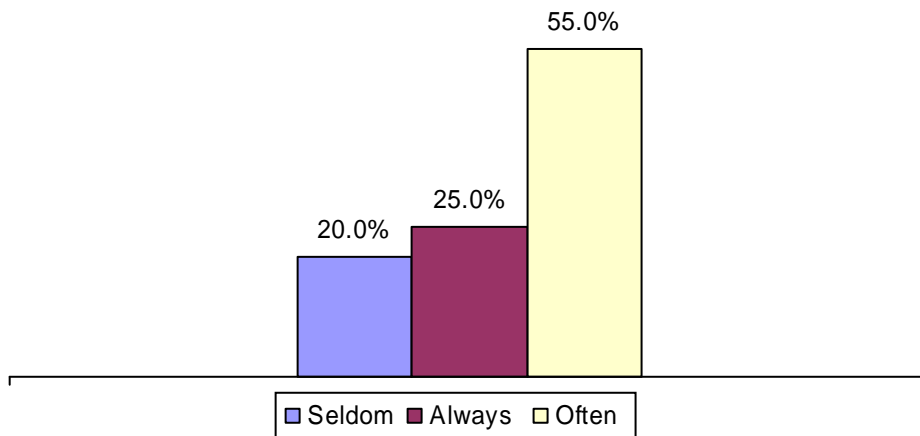
Teachers say they are aware of children’s family atmosphere. However, their response traces the different level of their awareness. While some of them say they always have relevant information, the majority (55,6%) say they often (not always) possess information on the children’s family atmosphere (See Graph 2).

Throughout their teaching experience 90,6% of the teachers have encountered the cases of domestic violence in the children’s families. Moreover, the majority of them (65,4%) have seen such situations repeatedly. 12.8% of the teachers indicated that cases of domestic violence occur frequently in every class (See Table 5).

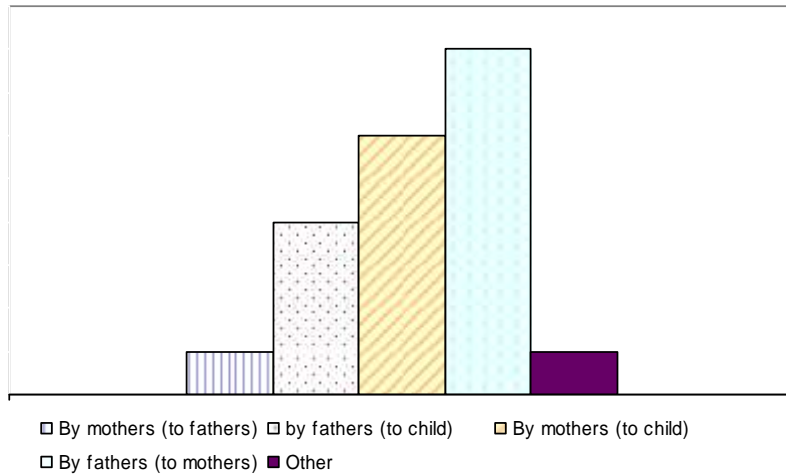
Table 5. Question #.5. How frequent are the cases of domestic violence?

	Distribution
1. Never in my practice	9.4%
2. Once in my practice	11.1%
3. Repeatedly in my practice	56.4%
4. One case per each class	2.6%
5. More than once in each class	3.4%
6. Such cases are quite frequent practically in every class	12.8%
7. Other	4.3%

Graph 2. Are you aware of your students’ family atmosphere?



Graph 3. Where the most frequent cases of violence were stated?



The next question was aimed to find out the most frequent victim of the domestic violence. 40.0% of the respondents think that in most cases batterer is the father who directs his aggression to mother. This result was not unexpected. The descending order is also interesting: next comes the violence from mother to a child while the violence of father to a child occupies the third place in the graph 3.

The fact that rate of the violence form mother’s side to a child is the highest can be explained by the fact that traditionally in Georgia woman takes on the most responsibility of bringing up children and therefore her involvement is higher that that of men’s.

There are cases when mothers spit on their children the accumulated negative emotion.

The cases of mothers’ being batterers towards their spouses are of the lowest rate (5%).

The forms of violence encountered by the teachers in the families of their students are given in the Table 6.

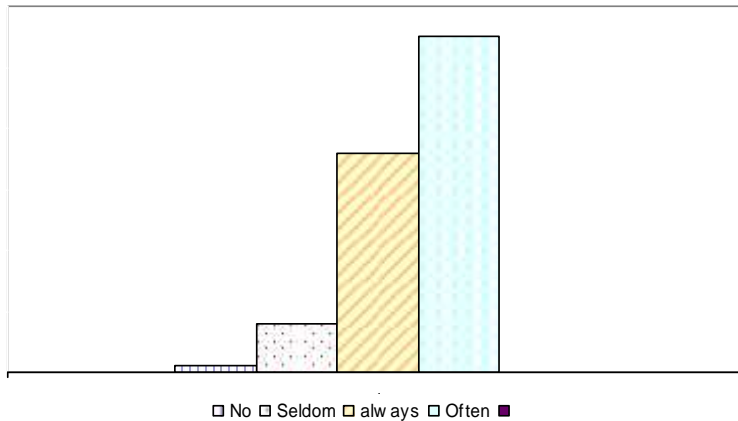
Table 6. What kind of acts of violence have you encountered in your student’s families?

	Distribution
1. Beating mother by father	17.7%
2. Threats by father to mother	18.6%
3. Physical harassment of a child by parents	29.3%
4. Threats to child by parents	29.8%
5. Other	4.7%

In teachers' opinion the pressure by parents on a child are of equal frequency be it physical (beating) or psychological (threats etc).

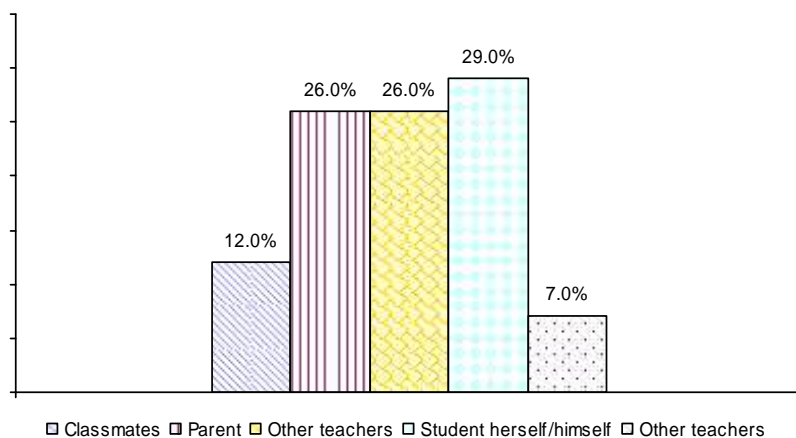
As mentioned above the teachers think that the complications within the family affect children and this influence is expressed by different forms (See Graph 4).

Graph 4. Do complications within families necessarily affect children?



Therefore, children and observation over them are the basic source of information. Sometimes information can also be obtained from mothers, or other teachers (See Graph 5).

Graph 5. Who is source of your information



When a child happens to be either direct or indirect victim of domestic violence he/she acquires serious psychological problems at school. The problems may differ and include

social, behaviour, emotional and other. In such cases their often find it difficult to interact with their peers. They often expose aggressive behaviour or on the contrary – became depressed, with poor academic performance and low self-esteem.

Table 7 shows the frequency distribution of those complications being most often exposed by children who systematically undergo domestic violence.

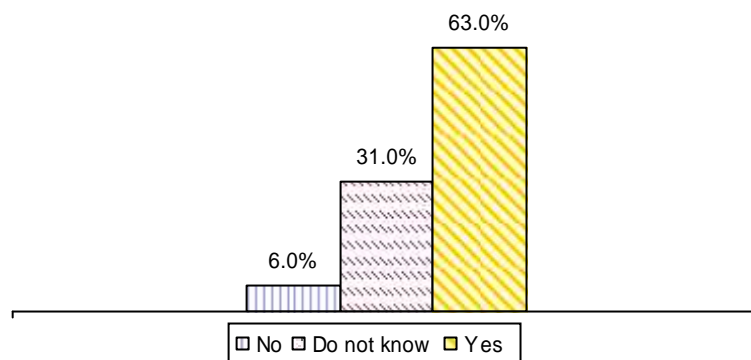
Table 7. Question #8. If a child is a domestic violence victim, how does it affect his/her behaviour at school?

	Distribution
1. Aggressive behaviour	22.3%
2. Depressed condition	23.6%
3. Complicated relations with his/her peers	13.6%
4. Poor achievements	19.3%
5. Missing lessons	11.6%
6. Delays	7.3%
7. Other	2.3%

Following questions were aimed to find out most effective and adequate measures to address the problem.

63.6% of our respondents think that teachers should interfere to help elimination of domestic violence problems in their students’ families. 30.5% does not know whether or not teacher’s competence should include this issue while 5.9% responded negatively (See Graph 6).

Graph 6. Do you think teachers should be involved in settling the problems of domestic violence?



The most effective measures to eliminate occurrence of domestic violence is deemed by the teachers to be talks with parents and child’s referral to psychologist (See Tables 8, 9)

To our knowledge there is no psychologist's service in the regions and therefore child's referral to a psychologist can not be considered as effective and adequate measure.

Table 8. Question #11. What mechanisms do you believe there are at schools that teachers can use in order to help children find way out?

		Distribution
1.	Talks with parents	36.2%
2.	Child's referral to a psychologist	28.5%
3.	Police's involvement	1.7%
4.	PHC involvement	0.9%
5.	School teachers' board involvement	4.7%
6.	Informing a school director	5.5%
7.	Encouraging other students to support their classmate	17.0%
8.	Other	5.5%

Teachers believe that above listed institutional services are not able to provide timely and adequate support while domestic violence.

Table 9. Question #12. What measures do you think are most effective to eliminate domestic violence in students' families?

		Distribution
1.	Talks with parents	36.2%
2.	Child's referral to a psychologist	28.5%
3.	Police's involvement	1.7%
4.	PHC involvement	0.9%
5.	School teachers' board involvement	4.7%
6.	Informing a school director	5.5%
7.	Encouraging other students to support their classmate	17.0%
8.	Other	5.5%

Institute of friendship, an informal structure, is believed to be more effective measure in comparison with the others.

Conclusion

90.6% of teachers pointed out that there have been acts of domestic violence in their students' families both direct and indirect while the majority of teachers (56.4%) said such cases had happened repeatedly.

We believe that the problem of domestic violence is acute enough to be more focused at by different structures.

Teachers do not normally find it difficult to notice complications in their students' families.

They point out that main source of information is observation over children whose behaviour is major indicator. Children who are direct or indirect victims of domestic violence tend to have complications in relations with their peers, poor performance, are inclined to aggressive behaviour and isolation.

While encountering with the domestic violence teachers do not refer to existing official structures (police, medical facilities, school management etc), because they are not expected to take any measures to deal with domestic violence.

Teachers do not possess any mechanisms to respond with to cases of domestic violence. Neither are there any instructions to follow in such cases.

They use informal methods to interfere in the family affairs of their pupils in case of domestic violence cases the most effective of which is considered to be person-to-person talks with the parents, and mobilization of friends and classmates to help and support victim child. Often teachers refer child to psychologist's help which can not be considered as effective measure in the regions because of absence of psychologist's consultation in most cases.

Recommendations

It is necessary to adopt definite mechanism which would enable teachers to react to the domestic violence crimes.

Social workers should work with schools in order to provide qualified support (including administrative, legal and psychological assistance) to children, their parents and teachers in case of domestic violence cases.

It is desirable that teachers be given special informational-preparation training regarding the issues of domestic violence and response.

We find reasonable that a special unit be formed with the government structures to cope with all the above mentioned issues related to domestic violence.