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## Increasing the Risk of Sexual Violence against Children through Denying CSE in Georgia

Policy Brief

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The present document is a critical review of the absence of comprehensive education on sexual and reproductive health and rights in Georgia and the problems resulting from this issue. For the last several years, we have witnessed a growing problem of sexual crimes against children and gender violence but the root causes have not been addressed. Children are left to haphazardly receive information on sexual and reproductive health through informal channels, including social media and their peers. In searching for this information, they face increased risks of cyber sexual violence and grooming. The situation remains grave since the Government cannot find ways to overcome the resistance of anti-rights groups and, consequently, put children in jeopardy of ignorance.

### Results of the absence of CSE education

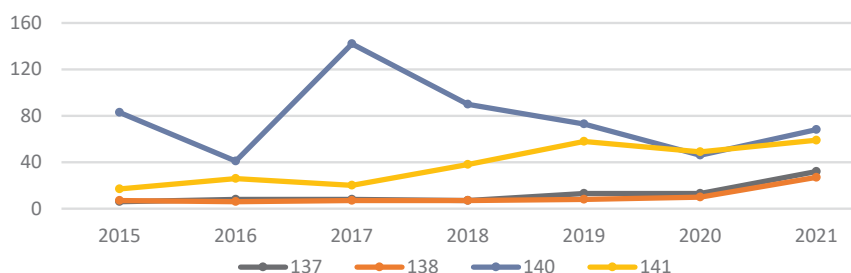
Comprehensive sexuality education (CSE) can significantly contribute to the reduction of gender-based and intimate partner violence, including sexual violence against children. One of the primary purposes of sexuality education is to "enable children better to protect themselves against the risk of sexual exploitation and abuse."<sup>1</sup>

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In the absence of comprehensive sexuality education in Georgia, we are seeing a disturbing trend – the increase of sexual violence crimes against children since 2015.<sup>2</sup>

### Statistics of sexual crimes against underaged girls



### Statistics of sexual crimes against underaged<sup>3</sup>

	Article 137	Article 138	Article 140	Article 141	Toral
Year 2015	6	7	83	17	113
Year 2016	8	6	41	27	82
Year 2017	8	7	142	20	117
Year 2018	7	7	90	38	142
Year 2019	13	8	73	58	152
Year 2020	13	10	46	59	128
Year 2021	32	27	68	39	166

Research<sup>4</sup> carried out in the European region under the auspices of the World Health Organisation (WHO) indicates: “the teenage birth rate tends to be much higher in countries, such as Bulgaria and Georgia, where no mandatory comprehensive sexuality education programmes are in place.” The high rate of abortion and deliveries in underaged girls is largely connected with the lack of information about sexual and reproductive health and rights. In 2018-2021 Georgia reported 454 child abortions and 2 564 deliveries.<sup>5</sup> According to the 2018 International Planned Parenthood Federation European Network report titled *Sexuality Education in Europe and Central Asia*, “The teenage birth rate in Georgia (51.5 births per 1 000 women aged 15-19 years in 2015) is very high compared to other European countries. In fact, is by far the highest of all the countries studied.”<sup>6</sup>

### Current status of CSE

In the EU-Georgia Association Agenda 2021-2028, the European Union has identified the priority to introduce a full-fledged education and information course on reproductive health and rights.<sup>7</sup> Consequently,

<sup>1</sup> <https://rm.coe.int/16800d3832>

<sup>2</sup> Office of the Prosecutor General of Georgia, correspondence #13/54327, 29 August 2022.

<sup>3</sup> Office of the Prosecutor General of Georgia, correspondence #13/54327, 29 August 2022.

<sup>4</sup> [https://www.bzga-whocc.de/fileadmin/user\\_upload/Dokumente/BZgA\\_IPPFEN\\_ComprehensiveStudyReport\\_Online.pdf](https://www.bzga-whocc.de/fileadmin/user_upload/Dokumente/BZgA_IPPFEN_ComprehensiveStudyReport_Online.pdf)

<sup>5</sup> Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia, Correspondence MOH 522 00182262, 04 August 2022.

<sup>6</sup> [https://www.bzga-whocc.de/fileadmin/user\\_upload/Dokumente/BZgA\\_IPPFEN\\_ComprehensiveStudyReport\\_Online.pdf](https://www.bzga-whocc.de/fileadmin/user_upload/Dokumente/BZgA_IPPFEN_ComprehensiveStudyReport_Online.pdf)

<sup>7</sup> <https://mfa.gov.ge/getattachment/News/saqartvelosa-da-evrokavshirs-shoris-2021-%E2%80%93-2027-cl/2021-2027-EU-G-eorgia-Association-Agenda-EN.pdf.aspx>

the EU called on the Government of Georgia to: **“Strengthen access to reproductive and sexual health for persons of all ages, information and prevention, and continue the fight against harmful practices directed against women and girls, including genital mutilation, child, early and forced marriage and other forms of human rights violations and degrading treatment, with special attention for rural areas.”**

The absence of comprehensive education on sexual and reproductive health and rights (CSE) in Georgia is a well-acknowledged fact, both in the international and local arena. Critical concerns have been expressed by the Public Defender of Georgia in her research: **“Studies conducted in recent years on the health and wellbeing of young people show that knowledge and awareness of sexual and reproductive health among young people is low.”**<sup>8</sup>

The Public Defender notes that research conducted in several regions of Georgia showed that instruction about human sexuality is rarely carried out in formal education. Students complain about the teachers’ poor attitudes and lack of preparedness and knowledge to teach the elements of CSE. The teachers try to avoid students’ questions on the subject and create an atmosphere of shame and awkwardness in the classroom. The teachers, in turn, blamed the limited CSE study materials as the reason they could not conduct in-depth discussions on the subject.

These concerns are well known to the international human rights bodies that continuously encourage the Government of Georgia to introduce CSE. On 24 July 2014, the UN Committee on the Elimination of Discrimination against Women published the *Concluding Observations on Georgia’s Combined Fourth and Fifth Periodic Reports*.<sup>9</sup> Throughout the report, the Committee expresses concern for the absence of age-appropriate sexual and reproductive health and rights education (para. 26). Accordingly, the Committee provided a recommendation to the Government of Georgia to **“[i]ntroduce age-appropriate sexual and reproductive health and rights education, including on responsible sexual behaviour, at all levels.”**

In 2017, the UN Committee on the Rights of the Child issued the *Concluding Observations on the Fourth Periodic Report of Georgia*.<sup>10</sup> The Committee takes note of the high rate of early pregnancies and the absence of sexual and reproductive health education in school curricula, and in the light of its general comment No.4 (2003), recommends that Georgia **“[i]ntroduce sexual and reproductive health education into the mandatory school curriculum for adolescent girls and boys, with special attention paid to preventing early pregnancy and sexually transmitted infection (para.33).”**

In 2021, during the forty-seventh UN Human Rights Council session, Georgia underwent the third round of the Universal Periodic Review (UPR) review process. During the interactive dialogue, Georgia

<sup>8</sup> <https://ombudsman.ge/res/docs/2019072913513745197.pdf>

<sup>9</sup> [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fGEO%2fCO%2f4-5&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fGEO%2fCO%2f4-5&Lang=en)

<sup>10</sup> [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGEO%2fCO%2f4&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fGEO%2fCO%2f4&Lang=en)

received<sup>11</sup> the following recommendation from Uruguay (148.175), France (148.177), Iceland (148.178), and Mexico (148.179): **“Develop and implement comprehensive education curricula on sexual and reproductive health and rights, in line with United Nations Educational, Scientific and Cultural Organization (UNESCO) guidance and standards.”** The delegation of Georgia accepted all the recommendations related to adopting comprehensive sexual education.<sup>12</sup>

On 27 July 2022, the UN Human Rights Committee published the Concluding Observation on the Fifth Periodic Report of Georgia on the UN Covenant on Civil and Political Rights.<sup>13</sup> The committee notes: **“While noting the efforts made by the State party, such as the development of learning courses on sexual education and sexual offences within the framework of “Doctor’s Hour,” the Committee is concerned about reports of insufficient access to and low levels of awareness about sexual and reproductive health services, especially for women from vulnerable groups. It also notes with concern the continued practice of sex-selective abortion, particularly among minority communities” (para. 25).** Consequently, the Committee recommends to the Government to: **“Further develop and implement comprehensive programmes on sexual and reproductive health education and on the prevention of sexually transmitted infections throughout the country.”** (para. 26)

As of August 2022, all these recommendations remain unimplemented.

## International Human Rights Law and SCE

Access to quality sexuality education derives from and is related to fundamental human rights. Beyond the right to sexuality rights education, it supports the realisation of a wide range of children’s rights. While using the framework of the United Nations Convention on the Rights of the Child (UNCRC), sexuality education can support the overlapping rights of children and adolescents, including the right to education (Article 28 and 29), health and wellbeing (Article 24), protection from abuse and exploitation (Article 3), self-determination (Article 2), identity (Article 8), non-discrimination and equality (Article 12), and freedom of thought, conscience and religion (Article 14).<sup>14</sup> Bourke and others<sup>15</sup> argue that sexuality rights should be addressed in three significant ways: rights to sexuality education, rights in sexuality education and rights through sexuality education.

Rights through sexuality education primarily imply protection from abuse and exploitation. In 2018, in the case of AR & LR v. Switzerland (22338/15), the European Court of Human Rights recognised that, **“One of the aims of sex education was the prevention of sexual violence and exploitation, which posed a real threat to the physical**

<sup>11</sup> <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G21/079/32/PDF/G2107932.pdf?OpenElement>

<sup>12</sup> <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G21/143/42/PDF/G2114342.pdf?OpenElement>

<sup>13</sup> [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2fC%2fGEO%2fCO%2f5&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2fC%2fGEO%2fCO%2f5&Lang=en)

<sup>14</sup> Bourke, A., Mallon, B., & Maunsell, C. (2022). Realisation of Children’s Rights under the UN Convention on the Rights of the Child to, in, and through Sexuality Education, *The International Journal of Children’s Rights*, 30(2), 271-296. Doi: <https://doi.org/10.1163/15718182-30020001>

<sup>15</sup> Ibid.

**and mental health of children and against which they had to be protected at all ages.”<sup>16</sup>**

Research<sup>17</sup> on the efficacy of abuse protection programmes suggest that successful prevention education includes teaching children how to identify and resist inappropriate touching.

The legal sources univocally support the human rights obligation to provide CSE to all children without any exception.

## **Universally recognised and recommended content of CSE**

In 2009, in partnership with other international organisations, UNESCO published the first version of the International Technical Guidance of Sexuality Education. After many countries incorporated CSE in their curricula and accumulated significant evidence, and based on the feedback of professionals as well as youth, in 2018 UNESCO, in partnership with UNAIDS, UNFPA, UNICEF, UN Women, and WHO published the revised version of the guidelines titled the Technical Guidance on Sexuality Education, An Evidence-based approach.<sup>18</sup>

Following the UNESCO model, the CSE should include eight equally important key concepts that are intended to be taught together: relationships, values, understanding gender, violence and staying safe, skills for health and wellbeing, human body and development, sexuality and sexual behaviour and sexual and reproductive health.

The evidence on comprehensive sexuality education revealed that:<sup>19</sup>

- Sexuality education – in or out of schools – does not increase sexual activity, sexual risk-taking behaviours or STI/HIV infection rates.
- Sexuality education has positive effects, including increasing young people’s knowledge about SRHR and risk behaviours.
- Programmes addressing both pregnancy prevention and STI/HIV prevention are more effective than single focus programmes.
- Using an explicit rights-based approach in CSE programmes leads to short-term positive effects on knowledge and attitudes, including increased knowledge of one’s rights within a sexual relationship; increased communication with parents about sex and relationships; and greater self-efficacy to manage risky situations.
- Gender-focused programmes are substantially more effective than “gender-blind” programmes at achieving health outcomes such as reducing rates of unintended pregnancy or STI’s etc.

<sup>16</sup> Press Release issued by the Registrar of the Court, *Refusal to exempt primary school pupil from sex education did not breach Convention*, Available at: <https://hudoc.echr.coe.int/fre#%7B%22itemid%22:%5B%22003-5977739-7646199%22%7D>].

<sup>17</sup> Kenny, M. C., Capri, V., R. R., Thakkar-Kolar, Ryan, E. E. and Runyon, M. K., “Child Sexual Abuse: From Prevention to Self-Protection,” *Child Abuse Review* 2008 (17), 36–54. Doi: 10.1002/car.1012.

<sup>18</sup> <file:///C:/Users/Nikoloz%20Inasaridze/Downloads/260770eng.pdf>

<sup>19</sup> Ibid.

Thus the value and benefit of the full-fledged sexuality education in the form of CSE is well documented by research and scientific data.

## Content of CSE in Georgia

Currently, the Government of Georgia has acknowledged neither the major absence of CSE in the Georgian educational system and nor the deficiencies in the existing model of sexuality education. Namely, the Government claims that the educational material on sexual and reproductive health and rights is presently incorporated in different contents of the General Education Curriculum.<sup>20</sup>

The referred material covers:

- (1) anatomy of the sexual organs of a man and a woman, puberty and other biologically determined concepts included in the educational standard of the biology courses.
- (2) The central concepts of human rights, equality (including gender equality), empathy, tolerance and different articles of the UNCRC covered in civic education courses.

As children report, teachers experience extreme discomfort when discussing the minimal amount of information currently available on reproductive health. Indeed, in some cases, they make children skip the very chapter in the book of biology that is related to the anatomy of sex organs. As 15-year-old Nino explains: **“This chapter was only assigned for reading at home. We did not discuss it in class. Our biology teacher thought that it would be awkward to talk about.”**<sup>21</sup>

It is apparent that neither the material nor the process of delivery is relevant to the comprehensive sexual education curriculum.

These data, as well as international human rights law and scientific evidence jointly indicate the ultimate necessity to introduce comprehensive sexuality education into the Georgian educational system. To implement the recommendations and obligations derived from international human rights treaties and mechanisms on reproductive health and rights education, it is necessary to:

- Commit and express clear political will for introducing comprehensive sexuality education in the national human rights action plans with relevant deadlines for actions.
- Ensure timely development of the CSE curriculum for persons of all age and all groups, with a primary focus on vulnerable groups, and introduce it in formal educational framework through the National Educational Plan.
- Provide training to improve the capacity of teachers and other professionals to adequately deliver the CSE material throughout formal education.

<sup>20</sup> Letter July 26, 2021, Ministry of Education and Science of Georgia.

<sup>21</sup> <https://jam-news.net/sexual-education-in-georgia-who-is-against-having-it-included-in-the-school-curricula/>

- Ensure the development of appropriate textbooks and educational materials to enable teachers to deliver high-quality and comprehensive sexuality education.
- Plan and run a proper outreach campaigns among the general public and education professionals to bolster support for and understanding of the need for CSE.