



# Assessment of Legal Framework and Policies on Sexual and Reproductive Health and Rights of Women and Girls with Disabilities in Georgia and Specific Recommendations

*(in Relation to the UN Convention on the  
Rights of Persons with Disabilities)*

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# Executive Summary

United Nations Population Fund (UNFPA) Georgia country office in the frames of the UN Joint programme Transforming Social Protection for Persons with Disabilities in Georgia has prepared a report on sexual and reproductive health and rights of women and girls with disabilities in Georgia. The aim of this report is to assess and analyze existing legal framework and review relevant state programmes in relation to the UN Convention on the Rights of Persons with Disabilities (CRPD). The purpose of the document is to promote a fundamental revision and amendment of Georgian legislation and programmes by the state through a series of recommendations and legal provisions to bring the legislative framework and the programmes in line with the Convention on the Rights of Persons with Disabilities and ensure protection of sexual and reproductive health and rights of women and girls with disabilities in Georgia.

The UN Convention on the Rights of Persons with Disabilities creates an important legal framework

that is critical in promoting and putting into practice sexual and reproductive health and rights of women with disabilities. Georgia ratified the Convention in 2013 that entered into force in 2014. Since then, few steps have been taken to harmonize Georgian legislation with international obligations and standards. The Law on the Rights of Persons with Disabilities, adopted in 2020, also serves the purpose, which is a clear step forward.

During the preparation of the document, international instruments were studied in details, particularly the framework concepts of sexual and reproductive health and rights and Georgia's international and national obligations to protect sexual and reproductive health and rights of women and girls with disabilities, especially in context of the CRPD. The document also analyzes and discusses local situation, based on recent studies and reports on sexual and reproductive health and rights of women and girls with disabilities.

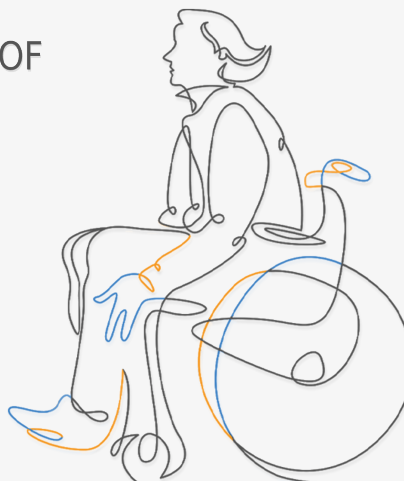
STATE HEALTH PROGRAMS PROVIDE ONLY  
FRAGMENTED SOLUTIONS TO THE PROBLEMS OF

**WOMEN AND GIRLS**

WITH DISABILITIES. THIS IS WHY THEY

**CANNOT PROPERLY**

**BENEFIT** FROM THESE  
PROGRAMS.



## THE HEALTH LEGISLATION OF GEORGIA STILL USES

### **DISCRIMINATORY LANGUAGE**

AGAINST THE PERSONS WITH DISABILITIES.  
THE ABSENCE OF AN ENVIRONMENT FREE  
OF STIGMA AND DISCRIMINATORY

### **ATTITUDES REMAINS**

A CHALLENGE FOR WOMEN  
WITH DISABILITIES.

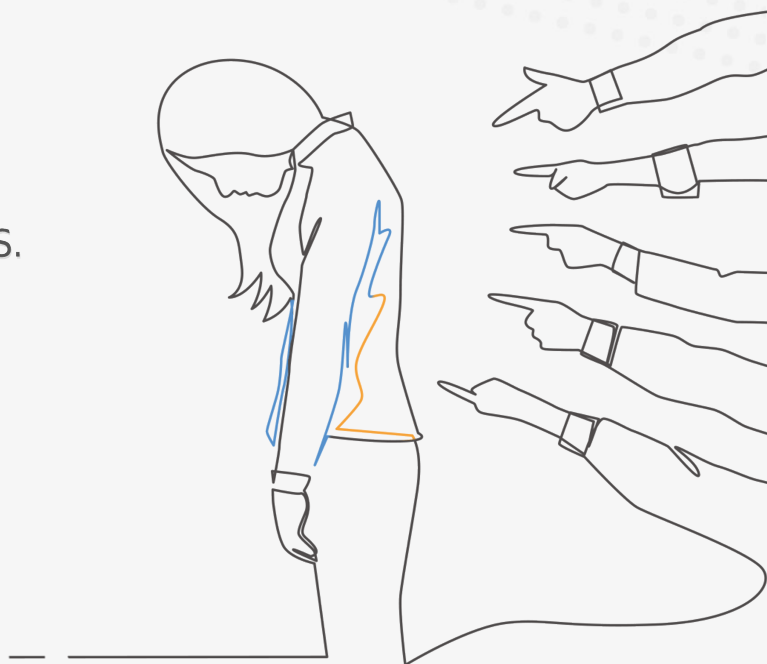
This report once again illustrates the problems and challenges women and girls with disabilities in Georgia are facing in terms of sexual and reproductive health. It is noteworthy that the existing legal framework, as well as state policy documents and programmes, are less responsive to the special needs and vulnerabilities of women and girls with disabilities. However, the main problem is the lack of accessibility of health services, information and failure to implement the rights to reasonable accommodation. Women and girls with disabilities do not have equal and full access to all possible sexual and reproductive health services and facilities, usually high quality medical care is not available due to low qualifications and discriminatory approach of medical staff towards women and girls with disabilities.

For the analysis of the Georgian legal framework, laws and normative acts were selected based on the relevance with regards to discrimination, violence and healthcare related issues. It should be noted, that the legislation requires detailed revisions and changes in order to ensure alignment with the CRPD obligations. The analysis revealed that the main laws of Georgia, which include the regulations concerning sexual and reproductive health and rights, are characterized by significant shortcomings, in particular: laws highlighted in the report use discriminatory language, which promotes stigma against persons with disabili-

ties. Legislative norms do not sufficiently regulate issues of protection against discrimination of persons with disabilities and don't integrate them into a general framework. Although parts of the legislative norms regulate certain issues related to reproductive health, it neglects specific needs of persons with disabilities or sets insufficient guarantees and obligations.

The current document offers specific recommendations and legal provisions to the relevant laws, that will promote full realization of human rights and fundamental freedoms for persons with disabilities, without any discrimination on the basis of disability. It is important that all components recognized by the CRPD are adequately reflected in the national legislation and state programmes, and that healthcare services should be defined, funded and implemented accordingly.

The present document also sheds light on a number of state health and social care programmes in the country that do not meet the needs of people with disabilities. It is challenging for them to benefit from the state universal health care programme, as well as referral services, services of rural doctors and other programmes. It is noteworthy that special attention should be paid to the process of planning and implementation of the state programme on mental health



Many studies indicate about the problems and challenges of state programmes in relation to people with disabilities and that the current health care system in the country does not meet the individual needs of people with disabilities. The health care state programmes only partially address the problems faced by people with disabilities. The report provides detailed analysis of the 2020 state health-care and social rehabilitation and child care programmes. It also proposes specific recommendations aiming at strengthening of the services in the areas of sexual and reproductive health and rights of women and girls with disabilities. In addition to the need safeguarding physical accessibility and financial availability of services for sexual and reproductive health and rights for persons with disabilities, access to information is also of critical importance.

Due to the complexity of the problems identified in this document, ensuring sexual and reproductive health and rights of persons with disabilities on equal basis with others requires multifaceted approach by the state. In particular, implementing adequate legislative changes, fundamentally reviewing state programmes and policy documents, and meeting all the basic and intersecting needs of

persons with disabilities to improve their quality of life and well-being.

In order to improve the the critical shortcomings regarding sexual and reproductive health and rights of persons with disabilities in practice, active participation of persons with disabilities and stakeholder organizations is essential to promote an inclusive process.

The United Nations Population Fund (UNFPA) Georgia Country office would like to thank the organizations of persons with disabilities and other stakeholders, as well as the representatives of the community itself that participated in consultations during the preparation of the report: the Public Defender of Georgia, the National Democratic Institute (NDI), Women and Reality, Partnership for Human Rights (PHR), the Platform for New Opportunities (PNO), the Association for Equal Rights (PER), the “Dea Association” and the Ministry of IDPs from Occupied Territories, Labour, Health and Social Affairs of Georgia.

## THE PRINCIPLE OF REASONABLE

**ACCOMMODATION** IS **NOT** PROPERLY

**REFLECTED** IN HEALTHCARE LEGISLATION.

THIS **PREVENTS** WOMEN

WITH DISABILITIES FROM

RECEIVING ADEQUATE

SEXUAL AND REPRODUCTIVE

HEALTH SERVICES.

