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WOMEN'S FUND IN GEORGIA

Situation Analysis and Recommendations on Environmental Justice and Women's Rights in Georgia

Phase 1

(Policy and Legal Framework;
Projects/Initiatives; Main Stakeholders)

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Abbreviations and Acronyms

ADC	Austrian Development Cooperation
CBD	Convention on Biological Diversity
CENN	Caucasus Environmental NGO Network
CSOs	Civil Society Organizations
EED	Evangelischer Entwicklungsdienst
FCAM	Fondo Centroamericano de Mujeres
GAGGA	Green Alliance for Gender Action
INDC	Intended Nationally Determined Contribution
MoENRP	Ministry of Environment and Natural Resources Protection
MoH	Ministry of Health, Labour and Social Affairs
MoRDI	Ministry of Regional Development and Infrastructure
NAMA	Nationally Appropriate Mitigation Actions
NCG	Nordic Consulting Group
TNC	Third National Communication of Georgia
ToR	Terms of Reference
RED	Rural Economic Development Program
UNCCD	United Nations Convention to Combat Desertification
UNCED	United Nations Conference on Environment and Development
UNFCCC	United Nations Framework Convention on Climate Change
WECF	Women in Europe for a Common Future

Introduction

The present paper presents the results of the 1st Phase of the study “Situation Analysis and Recommendations on Environmental Justice and Women’s Rights in Georgia” that is undertaken within the framework of the project “Green Alliance for Gender Action - GAGGA” supported by the FondoCentroamericano de Mujeres (FCAM), Both ENDS and Mama Cash and implemented by the local NGO - Women Fund in Georgia.¹

According to the Terms of Reference (ToR) of the study (See Annex 1 for the full ToR) that was outlined prior to the elaboration of this paper, the main objective of the study is to investigate and analyse the main types and underlying reasons causing the environmental injustices towards women in Georgia.

More precisely, the analysis intends to show whether the different types of environmental burdens unduly affect the quality of life of Georgian women and if so what are the main economic, social and cultural reasons standing behind. The analysis will also try to investigate if the Georgian legislative framework and national policies adequately address the issue.

The following main steps were identified to achieve the objective of the study:

- 1. Analysis of existing legal and policy frameworks (national as well as international) in relation to environmental justice and women’s rights in Georgia;**
- 2. Desktop research on existing studies/projects and findings on environmental impacts (with the focus on natural disasters/desertification/forest fires) and their impacts on women (especially in the regions of the study);**
- 3. Identification of main stakeholders;**
4. Elaboration of the design of the survey (questionnaires, groups of stakeholders to be interviewed);
5. Survey: interviews with 1) local women and men in Adjara, Kakheti and Samtskhe-Javakheti regions; 2) other relevant stakeholders, including policy makers;
6. Analysis of the findings of the desktop research and survey;
7. Elaboration of conclusions and recommendations for next steps;
8. Presentation of main conclusions and recommendations to main stakeholders.

After several meetings and discussions with the project management team, it was decided to take a step-wise approach and instead of covering all aspects of the study at once, during the 1st Phase the team would investigate the first three components of the study (bolded in the list above) in order to create a solid basis and comprehensive context for the interviews, the analysis of the information gathered and recommendations for the next steps. The current paper covers the topics covered in the 1st Phase of the study.

During the elaboration of the ToR, it was also decided to narrow down the scope of the

¹<https://www.womenfundgeorgia.org/ka/Main>

study and investigate ***the gender-differentiated impacts of the climate change, more precisely the natural disasters (landslides, floods, etc), desertification and forest fires on women living in Adjara, Kakheti and Samtskhe-Javakheti regions respectively.***

The rationale behind this decision was the assumption that the differentiated impacts the natural disasters/desertification/forest fires have on women are tangible, demonstrable and observable in every-day life of women and therefore, the project can support to bring those issues to the light. In Georgia, not enough statistics or studies exist that would demonstrate those differentiated impacts. In June 2015, the flood occurred in the Vere River valley in Tbilisi.² This disaster had devastating socio-economic consequences for the city: 19 people killed, 3 people missing, 67 families displaced, and around 700 people directly affected overall³. Indirectly, the disaster affected virtually the entire urban population of Tbilisi as a result of the physical and psychological impact it had on daily life.⁴ Although a lot has been written and analysed around this devastating event in the capital, the gender aspects of it were not highlighted enough. As one of the articles states, out of those families that were directly affected by the flood, 299 were men and 377 women⁵. However, it has been difficult so far to find the analysis of the underlying causes of these figures, while this information would help the decision/policy makers to understand and take into consideration the needs of the most vulnerable groups of the society.

2007 study conducted by London School of Economic showed that from 1981 to 2002 in a sample of up to 141 countries, natural disasters and their subsequent impact, on average, killed more women than men or killed women at an earlier age than men⁶. Neumayer and Plümper analyzed the results of this study and found that, when it came to deaths, gender differences were directly linked to women's economic and social rights; in societies where women and men enjoyed equal rights, disasters caused the same number of deaths in both sexes. The analysis also confirmed that discrepancies were the result of existing inequalities. In general, women tend to have more limited access to assets — physical, financial, human, social, and natural capital such as land, credit, decision-making bodies, agricultural inputs, technology, extension and training services which would all enhance their capacity to adapt and survive.⁷

²https://en.wikipedia.org/wiki/2015_Tbilisi_flood

³ “Directly Affected” were those who suffered damage to their houses and property

⁴ UNDP (2015) Tbilisi Disaster Needs Assessment

⁵<http://www.feminism-boell.org/ka/2015/08/05/klimatis-cvlileba-da-kalebi-gavlenna-da-shedegebi>

⁶<https://www.iucn.org/content/how-natural-disasters-affect-women>

⁷Neumayer, E., &Plümper, T. (2007). The Gendered Nature of Natural Disasters: The Impact of Catastrophic Events on the Gender Gap in Life Expectancy, 1981–2002. *Annals of the Association of American Geographers*, 97(3), 551–566.

As for desertification, because women generally have the "family" role and therefore need to remain near to their households, they are usually the first to face hardships related to droughts and desertification. Women may have gardens, assist in work in the fields, raise small animals or collect feed for milking animals, process tree products for sale, collect fuel and water and process and cook food while they care for their children. In the context of these responsibilities, it is clear that, as land closest to the households becomes less productive, the roles of women are directly threatened.⁸

Table 1 Fast Facts Demonstrating Differentiated Impacts of Natural Disasters on Women and Men

Fast Facts on Differentiated Impacts of Natural Disasters on Women and Men ⁹	
1	Disasters lower women's life expectancy more than men's, according to data from 141 countries affected by disaster between 1981 and 2002
2	Women, boys and girls are 14 times more likely than men to die during a disaster
3	Most of the victims trapped in New Orleans after Hurricane Katrina were African-American women and their children, the poorest demographic group in that part of the country
4	In 1991, during the cyclone disasters in Bangladesh, of the 140,000 people who died, 90% were women
5	In industrialized countries, more women than men died during the heat wave that affected Europe in 2003. In France, most deaths were among elderly women
6	In Sri Lanka, it was easier for men to survive during the tsunami because knowing how to swim and climb trees is mainly taught to boys. This social prejudice means that girls and women in Sri Lanka have very few possibilities of surviving in future disasters
7	Following a disaster, it is more likely that women will be victims of domestic and sexual violence; they even avoid using shelters for fear of being sexually assaulted
8	In Kenya, fetching water may use up to 85% of a woman's daily energy intake; in times of drought a greater work load is placed on women's shoulders, some spend up to eight hours a day in search of water.

On the other hand, while women's vulnerability to disasters is often highlighted, their actual and potential roles in disaster risk reduction have often been overlooked. Gender-specific capacities of women deriving from their social roles proved to be beneficial for their whole communities during every stage of the disaster cycle. Women's high level of risk awareness, social networking practices, extensive knowledge of their communities, task in managing

⁸<http://www.fao.org/wairdocs/x5309e/x5309e0b.htm>

⁹https://cmsdata.iucn.org/downloads/disaster_and_gender_statistics.pdf

natural environmental resources and caring abilities¹⁰ makes of them important players of effective risk assessment, early warning, disaster response and recovery actions. If women and girls are left out of planning for disaster response or risk reduction measures, the special talents, skills and knowledge of more than 50 percent of the population¹¹ are not capitalized upon and the needs of the most affected are unlikely to be met.

In this context, it should be also highlighted that the disasters can also provide an opportunity to redress gender disparities. For example, during the recovery period following a disaster, longstanding biases against women can be challenged by programmes that are sensitive to their needs and that involve them as equal partners in recovery work.¹²

Ajara, Kakheti and Samtskhe-Javakheti were selected as the regions where the research team will conduct the fieldwork and collect the case studies demonstrating the differentiated impacts of climate change processes on women. The selection was based on the existing knowledge and information about the most vulnerable areas of Georgia towards the climate change processes and on the most recent experience of the country with natural disasters. According to the Third National Communication of Georgia (TNC)¹³ to UNFCCC (United Nations Framework Convention on Climate Change)¹⁴, the frequency of disasters in Georgia got dramatically increased since 1980s and this increase has been mostly effecting Ajara (mainly highland part of Ajara), Upper Svaneti and Kakheti regions¹⁵. The two figures below that are taken from the TNC document show the vulnerable areas of Georgia in terms of landslides (Figure 1) and mudflows (Figure 2) where highlands of Ajara and Svaneti as well as Kakheti are indicated in red as the most vulnerable regions respectively.

Figure 1. Distribution of landslide hazard on the territory of Georgia (2014)

¹⁰ Aguilar, L., et al. (2008). Training Manual on Gender and Climate Change. San José, Costa Rica: IUCN, UNDP, GGCA

¹¹ http://census.ge/files/pdf/Population%20press_30%2004%20Geo_last.pdf

¹² <http://www.undp.org/content/dam/undp/library/crisis%20prevention/disaster/7Disaster%20Risk%20Reduction%20-%20Gender.pdf>

¹³ Georgia as the party to the UN Framework Convention on Climate Change (UNFCCC) is responsible for performing and submitting its National Communications - comprehensive documents that update the information over the national context, including greenhouse gas inventories, vulnerabilities to climate change, and mitigation and adaptation measures.

¹⁴ http://www.ge.undp.org/content/georgia/en/home/operations/projects/environment_and_energy/enabling-activities-for-the-preparation-of-georgias-third-nation.html

¹⁵ Due to limitations of the project, Ajara region was selected out of two highland areas of Georgia affected by the natural disasters associated with the climate change.

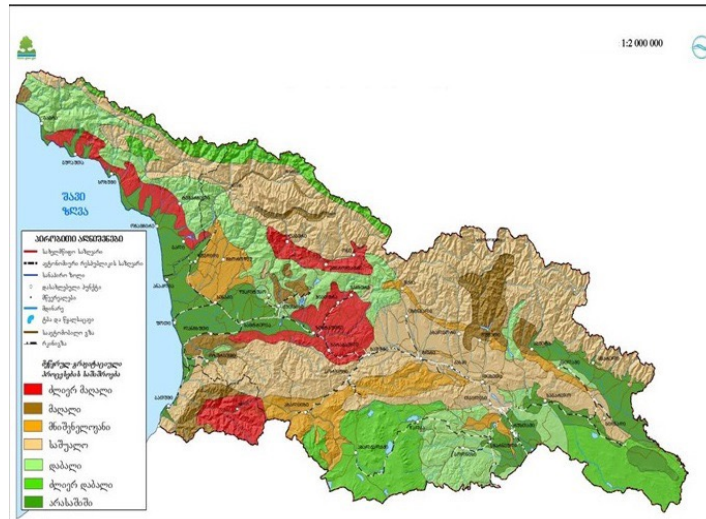


Figure 2. Distribution of mud ow hazard on the territory of Georgia



The TNC document also highlights the intensification of droughts in Kakheti region, the impact of which is reduced yields of annual and perennial plants as well as cash crops. As the result of droughts, production of certain crops, for example sunflower and maize has become impractical in some municipalities of Kakheti. Although new, productive hybrids of maize have emerged recently in number of districts of Kakheti region, like Sagarejo and Dedoplistskaro, it was still not possible to reach the high yields due to the droughts in the region.

The issue of the increased number of forest fires in Borjomi-Bakuriani forest ecosystem (Samtskhe-Javakheti region) is also indicated in the document in the context of general vulnerability of forest ecosystems towards the climate change. In 2003 two incidences of forest fires were recorded, while from 2006 at least 3 fire cases have been detected annually out of which the most devastating ones were the fire that happened in 2008 during the Georgia – Russia war (destroying 250 hectares)¹⁶ and in August of 2017 when 200 hectares of forest were destroyed.¹⁷ It is difficult to state exactly what percentage of

¹⁶https://en.wikipedia.org/wiki/2008_Borjomi_Wildfire

¹⁷<https://www.radiotavisupleba.ge/a/28707054.html>

those forest fires are due to climate change or caused by human factors (according to TNC, 70% of forest fires are caused by human factors and 30% by natural processes), however in terms of assessing what impact these fires have on local women, the causes become of the secondary importance.

Policy and Legal Framework

The current chapter provides the analysis of main international and national legal and policy documents in relation to environmental justice and women's rights. The analysis shows that the legal as well as policy framework that would address and regulate the environmental injustice towards women is still very weak both on international as well as national level. However, the progress that has been made so far in terms of acknowledging peculiar challenges and opportunities that environmental processes create for women gives good basis to capitalize upon those achievements and create a solid legal and policy framework that will address and regulate environmental injustices towards women.

International Legislation and Documents

General

The principle of equal enjoyment of human rights by women and men has been established in 1945, by **Charter of the United Nations (UN)**¹⁸. According to Article 3(1) of the Charter, one of the main aims of the UN is to achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion¹⁹.

Subsequently, this issue was further elaborated in the Universal Declaration of Human Rights in 1948; The **European Convention on Human Rights (ECHR)** (formally the Convention for the Protection of Human Rights and Fundamental Freedoms) in 1953; in the **International Covenant on Civil and Political Rights (CCPR)** in 1966 and in the **International Covenant on Economic, Social and Cultural Rights (CESCR)** in 1966.

Environmental

It should be noted that environmental law is a relatively new field of law. One can find its roots in 1972 Stockholm Conference organized by the UN, where the **Declaration of the United Nations Conference on the Human Environment** was adopted. According to the Declaration, many factors harm the environment: natural growth of population, developing economies, industrialization and technological development. At the same time, the Declaration has defined the 26 principles, which should ensure the preservation and improvement of the human environment²⁰. At that stage, the declaration did not acknowledge the vital importance of women's rights protection in the context of environmental protection.

¹⁸Economic, Social and Cultural Rights; 2006; editors: Asbjørn Eide Catarina Krause Allan Rosas, p. 388

¹⁹<http://www.un.org/en/sections/un-charter/chapter-i/index.html>. Besides, please see Articles 13(1), 55(c), 76(c) of the Charter

²⁰<http://www.un-documents.net/unchedec.htm>

After Stockholm Conference, the United Nations Conference on Environment and Development (UNCED), also known as the Rio Summit, the Rio Conference, and the Earth Summit took place in Rio de Janeiro, Brazil in 1992. The Earth Summit remains as a one of the most important conferences in the field of environmental protection / climate change. Besides this, the Earth Summit has arguably marked the first recognition of gender in international environmental law²¹. During the Conference, the **Rio Declaration** was adopted. The Rio Declaration represents the first international environmental declaration, which recognized, that ***“women have a vital role in environmental management and development. Their full participation is therefore essential to achieving sustainable development”***²². During the Earth Summit, there was also adopted the **Agenda 21** (The United Nations Programme of Action from Rio), with an entire chapter dedicated to “Global Action for Women Towards Sustainable Development”²³, likewise included women among nine “major groups” whose commitment and genuine involvement were deemed critical to the effective implementation of its objectives, policies and mechanisms. During the Earth Summit, there has been adopted Forest Principles and one of the most important conventions – **United Nations Framework Convention on Climate Change (UNFCCC)** that is the one of the most important legal documents on climate change. The UNFCCC is a significant document which acknowledged, that climate change was a real problem. Besides, the document created the plan for solving the problem and imposed most of the obligations on the developed countries in the plan implementation process. However, unlike other documents adopted at the Rio Conference, the UNFCCC did not specifically say anything about the protection of women's rights.

In the framework of UNFCCC, the **Kyoto Protocol**²⁴ was adopted in Kyoto, Japan, on 11 December 1997 and entered into force on 16 February 2005. The detailed rules for the implementation of the Protocol were adopted at the seventh Conference of the Parties (COP) in Marrakesh, Morocco, in 2001, and are referred to as the **"Marrakesh Accords."** The Protocol's major feature is that it has mandatory targets on greenhouse-gas emissions for the world's leading economies which have accepted it. The Kyoto Protocol is the first significant step towards the global reduction of emissions. Its first commitment period started in 2008 and ended in 2012. The second commitment period started from 1 January 2013 and will end on 31 December 2025. Neither Kyoto Protocol provides any protection for women's rights.

The women's issues have been gradually integrated into the climate change agenda. A coalition of women's organizations created a 'Solidarity in the Greenhouse' forum at the

²¹ Missing in Action: Gender in International Environmental Law, Paolo Galizzi, Alena Herklotz, p.41, the article from the Powerful Synergies, Gender Equality, Economic Development and Environmental Sustainability, UNDP, 2012. The publication can be found at:

<http://www.undp.org/content/dam/undp/library/gender/Gender%20and%20Environment/Powerful-Synergies.pdf>

²² Principle 6 of the Rio Declaration

²³ Section III, 24.1 - 24.12

²⁴ <http://unfccc.int/resource/docs/convkp/kpeng.pdf>

²⁵ http://unfccc.int/kyoto_protocol/items/2830.php

COP1 in Berlin in 1995²⁶. Six years later, at COP7 there was adopted a decision on improving the participation of women in the representation of the parties, but its scope was limited to monitoring and increasing the election of women to convention posts and bodies²⁷. The COP8 in New Delhi, in 2002 hosted the first official side event on gender²⁸.

Despite the fact that the women's organization were tirelessly working to integrate women's rights and strengthen their role into the climate change agenda, the response was being behind time. COP13 in Bali in 2007 featured five formal side events dedicated to gender issues, including one on 'Levers of Global Security: Examining How a Changing Climate Impacts Women'²⁹. At the COP13 there was launched a joint **Global Gender and Climate Alliance** between the United Nations Development Programme, the United Nations Environment Programme and leading environmental and women's organizations³⁰. In 2009, gendered language finally appeared in the outcome documents of COP15 in Copenhagen, confirming that "*the effects of climate change will be felt most acutely by those parts of the population that are already vulnerable owing to youth, gender, age or disability*"³¹. Furthermore, the Parties acknowledged the need for "gender equality and the effective participation of women," and called for gender sensitivity and consideration in efforts on adaptation, capacity building and deforestation. But there were many critics, who protested a persistent view of women as more "victims" than "stakeholders". They also protested women's conspicuous exclusion from the critical documents on mitigation and financing. But Copenhagen was nonetheless a milestone that marked the first official mentioning of women and gender in the climate change regime³².

In addition, at COP15, within the framework of the UNFCCC, there was established the Green Climate Fund (GCF). The main aim of the GCF is to assist developing countries in adaptation and mitigation practices to counter climate change. Its governing instrument was adopted at COP17 in 2011, in Durban, South Africa. It has to be mentioned, that the COP17 outcome documents featured even more gendered terms and provisions and also referenced the need for greater gender equality under UNFCCC in general. Gender appears in the decision text on the Green Climate Fund, finally breaking into the financing arrangements under UNFCCC³³. At the COP18, in Doha, Qatar in 2012 there was made a decision on promoting gender balance and improving the participation of women in UNFCCC negotiations and in the representation of Parties in the bodies established pursuant to the Convention or the Kyoto Protocol³⁴.

²⁶ Missing in Action: Gender in International Environmental Law, Paolo Galizzi, Alena Herklotz, p.41, the article from the Powerful Synergies, Gender Equality, Economic Development and Environmental Sustainability, UNDP, 2012.

²⁷ Ib. 44

²⁸ Ib.

²⁹ Ib.

³⁰ Ib.

³¹ Ib.

³² Ib.

³³ Ib.35

³⁴ http://unfccc.int/meetings/doha_nov_2012/session/7049/php/view/decisions.php#

At the COP20 in Lima, Peru in 2014, **Lima Work Programme on Gender** was adopted. The aim of the document is to advance gender balance, promote gender sensitivity in developing and implementing climate policy, and achieve gender-responsive climate policy in all relevant activities under the UNFCCC, as well as to improve the participation of women in their delegations and in all of the bodies established under the UNFCCC³⁵. At the COP22 in 2016, there was made a decision on prolonging the Lima work programme on Gender until 2019, COP25³⁶.

Within the framework of the UNFCCC, on 12 December, 2005 the Paris Agreement³⁷ was adopted. The Agreement entered into force on 4 November 2016. The Paris Agreement aims to (a) strengthen the global response to the threat of climate change, in the context of sustainable development and efforts to eradicate poverty, including by: holding the increase in the global average temperature to well below 2°C above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5°C above pre-industrial levels, recognizing that this would significantly reduce the risks and impacts of climate change; (b) Increasing the ability to adapt to the adverse impacts of climate change and foster climate resilience and low greenhouse gas emissions development, in a manner that does not threaten food production; and (c) making finance flows consistent with a pathway towards low greenhouse gas emissions and climate-resilient development³⁸. The Paris Agreement obliges the Parties to prepare, communicate and maintain successive nationally determined contribution that they intent to achieve³⁹. The Agreement is very interesting in light of the gender issue, because, finally, all the efforts and tireless work was prized and women's rights and gender have been officially included within the Agreement adopted under the UNFCCC. In the Preamble of the Agreement the Parties acknowledge that climate change is a common concern of humankind, Parties should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights, the right to health, the rights of indigenous peoples, local communities, migrants, children, persons with disabilities and people in vulnerable situations and the right to development, as well as gender equality, empowerment of women and intergenerational equity. In addition, in Article 7, which regulated the climate change adaptation, it is emphasized that the adaptation action should follow a country-driven, gender-responsive, participatory and fully transparent approach, taking into consideration vulnerable groups, communities and ecosystems. According to Article 11 Capacity-building process should be guided by lessons learned, including those from capacity-building activities under the UNFCCC, and should be an effective, iterative process that is participatory, cross-cutting and gender-responsive.

At the Earth Summit, another important Convention – **the Convention on Biological Diversity (CBD)** - was opened for signature. The Convention entered into force on 29 December 1993. The Convention has three main objectives: the conservation of biological

³⁵ <http://unfccc.int/resource/docs/2014/cop20/eng/10a03.pdf#page=35>

³⁶ https://unfccc.int/files/gender_and_climate_change/application/pdf/pages_17-20_from_10a02.pdf, 83 18

³⁷ http://unfccc.int/files/essential_background/convention/application/pdf/english_paris_agreement.pdf

³⁸ Article 2

³⁹ Article 3

diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources, including by appropriate access to genetic resources and by appropriate transfer of relevant technologies, taking into account all rights over those resources and to technologies, and by appropriate funding⁴⁰. The Preamble of the CBD recognizes that the **women play the vital role in the conservation and sustainable use of biological diversity and affirms the need for the full participation of women at all levels of policy-making and implementation for biological diversity conservation.**

The **Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity**⁴¹ was adopted at the tenth meeting of the Conference of the Parties, in Nagoya, Japan on 29 October 2010. The Preamble of the Protocol, like Convention, **recognizes the vital role the women play in access and benefit-sharing and affirms the need for the full participation of women at all levels of policy-making and implementation for biodiversity conservation.** In accordance with the Article 22(3) of the Protocol, as a basis for appropriate measures in relation to the implementation of the Protocol, developing country Parties, in particular the least developed countries, and Parties with economies in transition should identify their national capacity needs and priorities through national capacity self-assessments. In doing so, such Parties should support the capacity needs and priorities of indigenous and local communities and relevant stakeholders, as identified by them, emphasizing the capacity needs and priorities of women. According to Article 22 (5)(j) the measures described by Article 22(paragraphs 1-4) may include: special measures to increase the capacity of indigenous and local communities with emphasis on enhancing the capacity of women within those communities in relation to access to genetic resources and/or traditional knowledge associated with genetic resources.

Another important international environmental Convention, that emphasizes the importance of protecting women's rights is the **United Nations Convention to Combat Desertification (UNCCD)**⁴² that was adopted in Paris on 17 June 1994 and entered into force on 26 December 1996. The preamble of the UNCCD stresses **the important role played by women in regions affected by desertification and/or drought, particularly in rural areas of developing countries.** The preamble also stresses the importance of ensuring the full participation of both men and women at all levels in programmes to combat desertification and mitigate the effects of drought. Article 5 obliges the Parties to promote awareness and facilitate the participation of local populations, particularly women and youth, with the support of nongovernmental organizations, in efforts to combat desertification and mitigate the effects of drought. The country parties are obliged to submit the national action programmes. National action programmes shall specify the respective roles of government, local communities and land users and the resources available and needed. They shall, inter alia: provide for effective participation at the local, national and regional levels of non-governmental organizations and local populations, both women and men, particularly

⁴⁰<https://www.cbd.int/convention/text/>

⁴¹<https://www.cbd.int/abs/text/default.shtml>

⁴²http://www2.unccd.int/sites/default/files/relevant-links/2017-01/UNCCD_Convention_ENG_0.pdf

resource users, including farmers and pastoralists and their representative organizations, in policy planning, decision-making, and implementation and review of national action programmes⁴³. Besides, the Parties recognize the significance of capacity building -- that is to say, institution building, training and development of relevant local and national capacities -- in efforts to combat desertification and mitigate the effects of drought. The parties are obliged to promote as appropriate, capacity-building: through the full participation at all levels of local people, particularly at the local level, especially women and youth, with the cooperation of non-governmental and local organizations⁴⁴.

One of the main legal acts, which regulates the human right in the field of environmental protection is the Convention on **Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters**⁴⁵ (so called Aarhus Convention). The Convention was adopted on 25 June 1998 in the Danish city of Aarhus. It entered into force on 30 October 2001. Although the Convention does not emphasize on the women's rights in the field of environmental protection, it establishes that within the scope of the relevant provisions of this Convention, the public shall have access to information, have the possibility to participate in decision-making and have access to justice in environmental matters without discrimination as to citizenship, nationality or domicile and, in the case of a legal person, without discrimination as to where it has its registered seat or an effective center of its activities.

Women's Rights

At the Fourth World Conference on Women in 1995, which was held in Beijing, China, The **Beijing Declaration and Platform for Action**⁴⁶ were adopted. The Platform for Action represents an agenda for women's empowerment. It aims at removing all the obstacles to women's active participation in all spheres of public and private life through a full and equal share in economic, social, cultural and political decision-making, which means that the document established the principle of shared power and responsibility between women and men at home, in the workplace and in the wider national and international communities. ***The Platform of actions includes the strategic objectives, aiming at strengthening women's role in the field of environmental protection: involve women actively in environmental decision-making at all levels; integrate gender concerns and perspectives in policies and programmes for sustainable development; strengthen or establish mechanisms at the national, regional and international levels to assess the impact of development and environmental policies on women.***

The **Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)**⁴⁷, was adopted in 1979 by the UN General Assembly. The document is known as an international bill of rights for women. In its preamble, the Convention explicitly acknowledges that despite the work has been done by the UN "extensive discrimination

⁴³ Article 10(2)(f)

⁴⁴Article 19 (1)(a)

⁴⁵ <https://www.unece.org/fileadmin/DAM/env/pp/documents/cep43e.pdf>

⁴⁶ <http://www.un.org/womenwatch/daw/beijing/pdf/BDPfA%20E.pdf>

⁴⁷ <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm>

against women continues to exist", and emphasizes that such discrimination "violates the principles of equality of rights and respect for human dignity". Articles 10, 11 and 13, respectively, affirm women's rights to non-discrimination in education, employment and economic and social activities with a special emphasis in regards to the situation of rural women. Article 14 obliges Parties to take into account the particular problems faced by rural women and the significant roles which they play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and take all appropriate measures to ensure the application of the provisions of the CEDAW to women in rural areas. Besides, Parties are obliged to take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, ensure to such women the right: to participate in the elaboration and implementation of development planning at all levels; to enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications. Although, the provisions of the CEDAW and the way they have been formulated created the possibility for the women's rights to be implemented in the field of environmental protection, little was changed in practice.

Georgia is actively involved in the international processes, including the processes related to environmental protection and climate change. Accordingly, the country has ratified almost all major international agreements discussed above. This means that obligations to protect women's rights regulated by these international conventions became obligatory for Georgia.

National Legislation and Documents

Georgian legislation in the field of environmental protection consists of the Constitution of Georgia, international treaties and agreements of Georgia, the Law on Environmental Protection and other legislative and subordinate normative acts⁴⁸.

Article 14 of the **Constitution of Georgia** deals with the two fundamental human rights – freedom and equality and establishes that everyone is born free and is equal before the law regardless of race, colour of skin, language, sex, religion, political or other opinions, national, ethnic and social affiliation, origin, property or social status, place of residence. According to Article 38, citizens of Georgia are equal in their social, economic, cultural, and political lives irrespective of national, ethnic, religious, or language origin. According to universally recognised principles and rules of international law, citizens of Georgia shall have the right to develop their culture freely, use their mother tongue in private and in public, without any discrimination and interference.

Unlike Article 14, Article 38(1) specifies that the equality requirement apply to the social, economic, cultural and political life of people, and therefore social, economic, cultural and other human rights. Unlike Article 14, which recognizes the freedom and equality of each individual, Article 38 refers only to the social, economic, cultural and political rights of citizens of Georgia.

⁴⁸ Article 2, Law on Environmental Protection

According to Article 37, everyone shall have the right to live in a healthy environment and to use the natural and cultural environment. At the same time, the Constitution imposes an obligation to protect natural and cultural environment on each individual. Besides, there are integrated the principles of sustainable development in Article 37(4), according to which the State shall guarantee environmental protection and rational use of nature in order to ensure a safe environment for human health and maintain sustainable development of the country in line with the ecological and economic interests of society. Paragraph 5 of Article 37 has been included in the Constitution due to the obligations undertaken under the Aarhus Convention. According to the mentioned Article, everyone shall have the right to complete, objective, and timely information about environmental conditions. Consequently, State / public institutions have an obligation to ensure proper availability of the information on state of the environment.

The abovementioned Articles do not specifically emphasize the women's rights in the field of environmental protection, however they create a good basis to regulate the issue by the legislative or subordinate acts.

It should be noted, that a new Constitution has been adopted in 2017, which will become effective upon taking an oath by the President of Georgia elected in the next presidential elections. Article 11 (1) of the new Constitution represents the modified version of Article 14 of the current Constitution. According to Article 11 (1): All individuals have equal rights before law. Discrimination due to race, skin colour, sex, origin, ethnicity, language, religious, political or other opinions, social affiliation, material status or title, place of residence or due to other signs shall be prohibited. Unlike the current Article 14, the Article 11 of the new Constitution, directly prohibits any kind of discrimination.

In addition, the edited version of Article 38 of the current Constitution, has been included as a second paragraph of Article 11 of the new Constitution. According to Article 11(3) the State shall ensure equal rights and opportunities for men and women. The State shall take special measures to ensure substantial equality of rights for men and women, and to eradicate inequality. This paragraph is a novelty for the Constitution. With this provision, the Constitution imposed a direct obligation on State to take the special measures to ensure substantial equality of rights for men and women and to eradicate inequality.

As for right to environmental protection, which is regulated under the Article 37 of the current Constitution, it will be regulated by the Article 29 of the new Constitution (right to protect the environment). The fact, that the right to protect the environment will not be regulated along with healthcare and health insurance issues, but independently, is the novelty of the new Constitution. Besides, according to the obligations undertaken by the Aarhus Convention, the new paragraph on right to participation in the decision-making process with regard to environmental protection has been added to Article 29 of the new Constitution. According to it: 1) everyone shall have the right to live in a healthy environment and to use the natural environment and public space. Everyone shall have the right to obtain, in a timely manner, full information about environmental conditions. Everyone shall have the right to ensure the protection of the environment. Participation in the decision-making process with regard to environmental protection shall be

guaranteed by law, and 2) environmental protection, the rational use of natural resources, and sustainable ecological development, shall be guaranteed by law by taking into account the interests of current and future generations.

In order to summarize the novelties of the new Constitution, in relation to the relevant issues for the present research, it should be noted, that unlike the current Constitution, the new Constitution directly obliges the state to ensure substantial equality of rights for men and women. In addition, the new Constitution dedicates a separate Article to the right to protect the environment. However, similarly to the current Constitution, the new one does not specifically refer to women's rights in the field of environmental protection.

The **Law of Georgia on Environmental Protection** is a framework legal document that regulates legal relations between the state authorities and individuals and legal entities in the field of environmental protection throughout Georgia. The document aims at protecting the basic human rights in the field of environmental protection established by the Constitution of Georgia and ensures the environmental protection and rational use of natural resource by the State considering the principles of sustainable development.

Article 6 of the Law on Environment establishes the rights of the individuals (citizens) in the field of environmental protection. Specifically, citizen has the right to live in a healthy environment; to enjoy natural environment; to obtain full, objective and timely information on the state of workplace and housing environment; to obtain an environmental education; to raise the level of environmental awareness; to become a member of the environmental organizations; to participate in the decision making process related to the important environmental issues; receive compensation for the damage caused to him/her by the failure to meet the requirements of the environmental legislation of Georgia; Request the court to change a decision on designing, construction, reconstruction and exploitation of ecologically dangerous objects.

It has to be noted, that the Law on Environmental Protection is gender neutral and does not mention women's rights specifically.

Similar to the Law on Environmental Protections other main legislative acts, by-laws and strategic documents in the field of environmental protection do not recognize the special importance to protect women's right or to ensure the equal participation of men and women in the environmental related issues. Such documents are – Waste Management Code; Law of Georgia on Ambient Air Protection; Law of Georgia on Water; Law of Georgia on Subsoil; The Forest Code of Georgia; Law of Georgia on Licenses and Permits; Law of Georgia on Ecological Examination; Law of Georgia on Environmental Impact Permits; Law of Georgia on System of Protected Areas; Law of Georgia on Nuclear and Radiation Safety; Ordinance #160 of the Government of Georgia of April 1, 2016 "On Approval of National Strategy for Waste Management for the years 2016-2030 and National Action Plan for the years 2016-2020".

There is only a small number of the environmental documents which include the gender and women issues. Resolution of the Parliament of Georgia of December 11, 2013 on approval

of the "**National Forest Concept**"⁴⁹ is one of them. It attests that Global warming has already started to affect Georgia's climate. Changes in the climate will affect Georgia's forests severely. In order to avoid this problem, the activities should be elaborated and implemented aimed at mitigation and adaptation to the impacts of climate change on forests. One of the main principles of the Concept is "all forests are local", which means, that priority should be given to the requirements of the local population although all stakeholders shall be engaged in the decision-making and management. Interestingly enough, local population (specifically, women) are considered a separate group of stakeholders.

One of the main objectives of the concept is the awareness raising and involvement of the society in the processes emphasized in the Concept. In this direction, it is planned to involve rural communities in the management of their local forests at the stage of management planning with special consideration of the different strata of society, especially youth and women and their requirements. The Concept also defines the activities aiming at the reduction of rural poverty and creating new job opportunities while taking into consideration the interests of different groups of the population, including women and youth.

As mentioned before, the Paris Agreement signed in the framework of the UNFCCC obliges parties to submit the intended nationally determined contribution (INDC)⁵⁰ document. This obligation applies to Georgia as well, since it is the Party of the Paris Agreement. The Document was elaborated by the Ministry of Environment and Natural Resources Protection of Georgia in close cooperation with the key ministries and other relevant stakeholders involved in the consultations process. As it is noted at the end of the INDC - ***It is fundamental to incorporate a gender- and human rights-sensitive approach in adaptation planning capacity building, prioritizing the most vulnerable sectors and regions in order to reduce social inequality and the gap between women and men rights***⁵¹.

Another document, which was elaborated due to the obligations undertaken by the Georgia as a party of the international Convention – UN Convention to Combat Desertification – is the Second National Action Programme to Combat Desertification⁵². The Programme was approved by the Ordinance #742 of 29th December, 2014 of the Georgian Government. According to the Document, in line with the obligations imposed by the Convention, in the process of elaboration of the National Action Program women, men and youth were equally involved.⁵³

⁴⁹[http://w3.cenn.org/wssl/uploads/home/National%20forest%20policy%20for%20georgia%20\(ENG\).pdf](http://w3.cenn.org/wssl/uploads/home/National%20forest%20policy%20for%20georgia%20(ENG).pdf)

⁵⁰http://www4.unfccc.int/ndcregistry/PublishedDocuments/Georgia%20First/INDC_of_Georgia.pdf

⁵¹ INDC, p.6

⁵²https://www.rec-caucasus.org/files/publications/pub_1481807666.pdf

⁵³Id. p.12

The laws on "**Gender Equality**" and "**Elimination of All Forms of Discrimination**" are in force in Georgia. However, the environmental protection component is totally missed and ignored in the above-mentioned legislative acts.

As the conclusion, it can be stated that the integration of women's rights and gender component in international environmental legislation, especially in the Conventions and Protocols on climate change, has mainly started from 1990s. Although there has been a significant number of scientific research which have proven that climate change is not gender-neutral and the negative changes caused by it were more harmful to women than for men it took a long time to include women's rights as well as gender component into the protocols and other documents adopted within the framework of the UNFCCC. Nowadays at the official webpage of the UNFCCC, there is a separate section for "Gender and Climate Change". This can be regarded as the proof of recognition of the importance of protecting women's rights in the process of climate change by the international community.

There is still a lot of work to be done in order to integrate women's rights into the environmental legislation of Georgia. On the other hand, as it was already mentioned, the laws on "Gender Equality" and "Elimination of All Forms of Discrimination" ignore environmental issue.

It should be noted that the level of public awareness on gender and women's rights is still quite low. These issues are often perceived as "artificial" topics by which international organizations successfully "manipulate" the society. Such a perception has been hindering the integration of the women's rights into the international and national environmental legal documents. This attitude is clearly reflected in a small number of national environmental legislative acts where the gender or women's rights are adequately addressed.

Projects and Initiatives

The number of projects or studies implemented specifically on environmental justice and women's rights is still low in Georgia. It should be noted though, that the majority of the projects that are implemented in Georgia on various important economic, environmental, social issues and are funded by the international donor organisations recognize the significance of gender aspects in relation to the main topic discussed within the project. However, the experience shows that most of the times, this is more formal recognition (since it is usually donor organizations' requirement to take the gender issues into consideration at planning as well as implementation stages) rather than a proper planning and effort to address gender related issues within the projects.

Below is a brief overview of some of the projects/initiatives that have been implemented in Georgia in recent years and focused on the link between the various environmental issues and gender aspects.

One of the interesting initiatives that has been recently implemented in Georgia is the programme "Strengthening and Engagement of Rural Women in Natural Resource Management in South Caucasus Countries (Georgia, Armenia, Azerbaijan)". The programme has been implemented by the NGO Caucasus Environmental NGO Network (CENN)⁵⁴ with the financial support from the EED (Evangelischer Entwicklungsdienst).

In the first phase of the programme the **Rural Women Councils (RWCs)** were established in the selected Khrami-Debed (in Armenia and Georgia) and Alazani (Azerbaijan and Georgia) bilateral areas. The main idea of the RWCs was to create the platform for local women's groups in rural areas to self-mobilize themselves and participate in the processes related to environmental issues, natural resources and sustainable agricultural management and thus support the improved community and regional development.

The main goals of the RWCs were identified as follows:

- ***Enhancement of rural women via awareness raising, mobilization and capacity building;***
- ***Promotion of active involvement of local community, especially women and youth, in awareness raising on sustainable management of natural resources;***
- ***Identification of community problems and contributions to their resolution;***
- ***Establishment of inter-communal relations between various villages in the district, identifying their needs/problems and solutions for further development.***

Since 2008 13 RWCs were created comprising over 200 members in the following regions and villages of three South Caucasus countries:

COUNTRY	REGION/DISTRICT	VILLAGE
	Kakheti region, Telavi District	Village of Pshaveli

⁵⁴ <http://www.cenn.org/programs/gender-and-environment/>

GEORGIA	Kvemo Kartli region, Bolnisi District	Village of Ratevani
	Imereti region, Chiatura District	Village Darkveti
	Imereti region, Tkibuli District	Village Gelati
ARMENIA	Tumanyan District	Village of Shnogh
	Teghut, Lori Marz	Village Teghut
	Archis, Tavush Marz	Village Archis
AZERBAIJAN	Zaqatala District	Village of Tala
	Gakh Districts	Whole region
	Sheki District	Whole region

During the first phase, the RWCs were strengthened by the project through different activities and as the result, they gained the reputation of the leaders' groups that the local residents contact to seek the support and consultations from. Sometimes the local governments invite the RWCs to discuss various issues and participate in budget planning.

Since their establishment, the RWCs have been implementing different types of activities based on the realities and needs of their regions and villages. They have been actively involved in raising of community awareness on integrated natural resource management and role of women, they support women's initiatives and provide thematic trainings on integrated natural resources management and sustainable agriculture practices and on the creation of small businesses for women to name a few. For example, it happened with the initiative and support of one of the local RWCs that the cheese cooperative for eco-migrant women in the village Disveli, Bolnisi Municipality (in cooperation with Rural Economic Development Program (RED) and Austrian Development Cooperation (ADC)) was created. The RWCs also have the role of the community advocates for local concerns and often are the organizers of environmental campaigns and actions as well as communicators with local and central authorities and business sector.

At the second phase, the project continued technical support and institutional strengthening of established RWCs and involved them directly in the implementation of activities on-site as well as in other hot-spots identified by the project. At this stage, the EED supported programme is finished, however the RWCs still continue to exist and function despite of the fact that they face different types of financial, capacity and networking needs.

A number of gender related publications can be found in the portfolio of the NGO “Green Alternative”⁵⁵. According to one of their recent policy briefs called “Woman and Energy-Uneasy Relations”⁵⁶, the energy sector impacts on women still do not get enough attention neither from the public nor from the decision-makers. As the authors of the paper state, energy related impacts on gender are studied only in case of large infrastructural projects funded by International Financial Institutions and causing involuntary resettlement. In all other cases, the gender issues such as women’s restricted participation, differentiated employment opportunities, health impacts and benefits are not considered to be the significant problems. As the result, projects are developed in a way that does not address and mitigate particular gender impacts such as health, employment, workload, poverty and etc. The above-mentioned policy brief is further elaborated in the critical analysis of the gender aspects in relation to Nenskra and Shuakhevi Hydro Power Plant projects.⁵⁷ According to the reports, both projects fail to identify the negative social and gender impacts on the communities in order to protect women from disproportionately bearing the negative impacts and to ensure that women and men benefit equally from the project. One of the important findings and conclusions of the analyses is that existing national safeguard frameworks do not address the social and gender impacts or the issues related to involuntary resettlement.

In addition to above-mentioned documents, the organization also elaborated several guides for CSOs on how to assess different investment projects and programmes that are likely to have detrimental gender impacts and how to influence them, through advocacy work during the project preparation, as well as through compliance mechanisms.⁵⁸

Another interesting initiative that did not have a direct link with the natural disasters and their differentiated impact on women, but brought the gender sensitivity and issues foreword was the programme that aimed to adapt solar heating technologies to local needs and capacities of men and women living in rural areas of Georgia. The programme was implemented by Women in Europe for a Common Future (WECF) and by local partner Civil Society Organizations (CSOs)⁵⁹. In 2008 WECF started piloting the implementation of low-cost solar water heaters based on local production with the involvement of women and men. A gender-sensitive training concept has been implemented to transfer knowledge to population of rural areas in Georgia. In 2009 400 solar warm water heaters have been installed and monitored by locally trained men and women, using local materials and creating local income. The programme has been successful in several areas: it has reduced energy poverty (easy access to sustainable energy and less costs for fuel), environmental degradation (less resources need, e.g. wood) and climate change (less CO2 emissions). The programme has strengthened local capacity in regard to knowledge, gender equality and created business opportunities for women and men.

⁵⁵ <http://greenalt.org/home/>

⁵⁶ http://greenalt.org/wp-content/uploads/2017/08/Woman_and_Energy_Uneasy_Relations_2017.pdf

⁵⁷ http://greenalt.org/wp-content/uploads/2016/10/Nenskra_case_study_eng_2016.pdf ;
http://greenalt.org/wp-content/uploads/2016/10/Shuakhevi_HPP_2016.pdf

⁵⁸ <https://bankwatch.org/wp-content/uploads/2011/08/gendertoolkit.pdf> ;
http://greenalt.org/wp-content/uploads/2016/10/Gender_Guide_2016.pdf

⁵⁹ <https://genderingermandevelopment.net/custom/images/Gender%20Sensistive%20NAM A%20rural%20RE%20Georgia%20info%20sheet%202016-ENG%20.docx.pdf>

To scale up these results, WECF and its partner CSOs have developed in cooperation with the authorities, a proposal for a National Appropriate Mitigation Action (NAMA), which is the only “gender-equitable” one worldwide. This NAMA will install 20.000 units of solar heaters or energy-efficient stoves for rural households and public buildings, ensuring that all conditions are created for women to equally participate in the implementation and monitoring of the energy systems. The social benefits of the NAMA will be monitored, including how far it will reduce the burden of unpaid work on women in target villages of Georgia.

Another most recent development in this regard is the support from the Nordic Consulting Group (NCG) that provided gender support to the Swedish Environmental Protection Agency and the Ministry of Environment and Natural Resources Protection in Georgia. The agencies have now an agreed roadmap for gender mainstreaming of the mutual project: “Capacity-building and support of measures towards implementation of integrated waste management system in Georgia with a focus on hazardous and biodegradable waste management as well as producer’s responsibility during”.⁶⁰

The fact that the number of implemented and/or planned projects/initiatives that would focus on environmental justice and women’s rights is so limited in Georgia indicates that there is a low awareness and acknowledgement of possible differentiated challenges (as well as opportunities) that the climate change and other environmental processes create for women not only among the governmental entities/policy makers but among the CSOs and international donor organizations. It is recommended that at the 2nd phase of the study, the review of the projects/initiatives in further elaborated and analyzed as needed.

⁶⁰<https://ncgsw.se/environment-gender-georgia/>

Main Stakeholders

The draft list of the main state agencies is provided below highlighting the main functions they have in relation to environment protection and/or women’s rights. The list should be further developed and elaborated during the 2nd Phase of the study before the field trips and conducting the interviews.

Organisation	Function
Ministry of Environment and Natural Resources Protection of Georgia ⁶¹ (MoENP) ⁶²	Main functions of the ministry are organization of environmental planning system; implementation of state policy on environmental protection; protection and preservation of unique landscapes and ecosystems, rare and endangered species of flora and fauna that are characteristic to Georgia, biodiversity, air, water, land and mineral resources; administration and regulation of activities related to usage of natural resources, waste management, chemical, nuclear and radiation safety.
Climate Change Division (CCD) under MoENP	The CCD is responsible for the elaboration and coordination of the climate change policy of the country; acts as the focal point of Georgia for the climate related international agreements and conventions; coordinates and oversees the projects implemented in relation to climate change in Georgia.
National Environment Agency (NEA) under MoENP ⁶³	National Environmental Agency is a legal entity of the public law under the Ministry of Environment and Natural Resources Protection of Georgia. The scope of activities of the Agency is preparation and dissemination of warnings and notifications in the event of expected natural, hydrometeorological and geological disasters and adverse events, as well as in cases of forecasts on extreme environmental pollution for the purpose of ensuring of the state security and safety; preparation of hydrometeorological forecast on river basis, water bodies, the Black Sea Territorial Waters; engineering-ecological assessment of geological processes; issuing of licenses on use of natural resource (except for oil and gas) in accordance with the Law of Georgia on Licenses and Permits and other laws, as well as management and coordination of activities related to issuance of licenses etc.

⁶¹As it was recently announced by the Prime Minister of Georgia the MoENRP will join the Ministry of Agriculture while some of its functions will go under the Ministry of Economy and Sustainable Development. As the result, the new ministry called the Ministry of Environment Protection and Agriculture will be created. Although the details are not known at this stage, the civil society sector as well as international partner organisations are concerned that the reform might significantly diminish the environment protection in the country. (http://gov.ge/index.php?lang_id=ENG&sec_id=463&info_id=62772)

⁶²<http://www.moe.gov.ge/en/home>

⁶³<http://nea.gov.ge/en/about/about-us/2/>

Emergency and Operative Response System of the Ministry of Interior ⁶⁴	112 is a Legal Entity of Public Law of the Ministry of Internal Affairs of Georgia, which ensures operative response on the emergency situations. The main purpose of 112 is to protect human lives, as well as private and public property. 112 unifies three different services in Georgia, in particular, these services are: patrol police, fire/rescue and medical services. 112 Emergency Response Center ensures processing of received calls and transferring them to the relevant services.
Ministry of Regional Development and Infrastructure (MRDI) ⁶⁵	The ministry oversees regional and infrastructure development throughout the country which includes modification and modernization of state road networks of international and domestic importance. It is also in charge of activities monitoring architectural and construction works in Georgia. The ministry issues proposals and drafts on modernization of Georgian infrastructure which is then reviewed by the Parliament of Georgia.
Ministry of Health, Labour and Social Affairs of Georgia (MoH) ⁶⁶	Main functions of the ministry are ensuring provision of good medical and public health services to the population; regulation of medical and pharmaceutical activity in the country; management of state pensions, social security; protection of rights of children.
Environment Protection and Natural Resources Committee of Parliament of Georgia ⁶⁷	The Committee has an important legislative function. It participates in the process of law-drafting and in the review of draft laws initiated by the Government and other parliamentary committees in the light of correspondence of the Georgian legislation with the EU legislation norms. The Committee's main objective is to ensure the environmental activities and sustainable use of the natural resources, to determine the environment and people's ecological security policy, to coordinate proper activities and to exercise the execution control.
Gender Committee of Parliament of Georgia ⁶⁸	The primary objective of the Council is to ensure systematic and coordinated activity on gender issues. The Council is guided under the Law of Georgia "On Gender Equality", the Constitution of Georgia, the Rules of Procedure of the Parliament and other normative acts, as well as under the Statute of the Council and other Acts of the Chairman of the Parliament. The Council facilitates to definition of main directions of the state policy on gender issues by the Parliament. The Council is responsible for elaboration and development of the legislative base in gender equality

⁶⁴<http://91.226.179.65/en/lepl/lepl112>

⁶⁵<http://www.mrdi.gov.ge/en>

⁶⁶<http://www.moh.gov.ge/>

⁶⁷<http://www.parliament.ge/en/saparlamento-saqmianoba/komitetebi/garemos-dacvisada-bunebrivi-resursebis-komiteti/komitetis-shesaxeb>

⁶⁸<http://www.parliament.ge/en/saparlamento-saqmianoba/komisiebi-da-sabchoebi-8/genderuli-tanasworobis-sabcho/sabchos-shesaxeb>

	sphere and for provision of consideration and endorsement of the respective strategy.
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In addition to the state agencies, during the 2nd Phase of the study it will be important to involve and work with local government entities of Ajara, Kakheti and Samtskhe-Javakheti regions, NGOs working on environmental and women's rights issues on national level, local CSOs working on environmental and women's rights issues in Ajara, Kakheti and Samtskhe-Javakheti regions, main international donor organizations and programmes focusing on environment protection and women issues in Georgia.

Annexes

Annex 1

Terms of Reference for Situation Analysis and Recommendations on Environmental Justice and Women's Rights in Georgia

Background

Although women's rights and related issues are researched, discussed and acted upon in Georgia to certain extent, the topic still remains to be marginalized and lacks the acknowledgement by a wider society. The same can be stated about the issues related to environment and its protection in general – some parts of the society are becoming more and more proactive in acting and requesting their fellow citizens, business sector as well as the government to treat the surrounding environment wisely, protect the nature for current and future generations and ensure the living in healthy environment. However, this spirit is neither strong nor endorsed widely enough to become the cornerstone for societal preferences or national development agenda.

What is more interesting for the current project and seeks some action is a big gap between these two marginalized topics in terms of research as well as practical endeavours within the Georgian context. Very little has been done so far to investigate and analyze how the processes (natural as well as anthropogenic), concrete actions and decisions made in relation to environment affect women's life and their rights in particular.

The term "environmental justice" (or injustice) is rarely used and referred to in the Georgian environmental narrative. There is not even an exact corresponding term in Georgian environmental vocabulary. On the one hand, it might be explained by generally accepted theory that the roots of the contemporary environmental justice movement lie in the controversies over the contamination of Love Canal in New York state in the late 1970s and the African- American protests over the dumping of toxic waste in North Carolina in 1982.⁶⁹ Therefore, as the result of these origins, the contemporary environmental justice movement still remains most active in America. On the other hand, the absence of the term and discourse on environmental justice might be an indicator that it is not yet fully recognized by Georgian society, including the decisions makers that environmental burdens should be fairly and equitably distributed across an entire population and what is more important, everyone should have an equitable access to and involvement in the development and/or implementation of the mechanisms used to address environmental issues.

In this context, no systematic deliberations have been conducted so far to identify whether women and girls are disproportionately affected by environmental problems in Georgia. Some research that took place in other parts of the world showed that women are unduly affected by environmental problems for three main reasons: because they live longer, because they are poorer than men, and because of the social construction of womanhood.⁷⁰ In Georgia, we lack the information about and analysis of different types and reasons causing the environmental injustices towards women that would have potential to inspire

⁶⁹ Schroeder, R., K. St Martin, et al. (1996) "Third World Environmental Justice." *Society and Natural Resources* 21 (7): 547-555

⁷⁰ Weiss, C. *Women and Environmental Justice: a literature review*

the policy development that would support to equalize the unfair distribution of environmental burdens.

Objective

The main objective of the proposed situation analysis is to investigate and analyze the main types and underlying reasons causing the environmental injustices towards women in Georgia.

More precisely, the analysis will show whether the different types of environmental burdens unduly affect the quality of life of Georgian women and if so what are the main economic, social and cultural reasons standing behind. The analysis will also try to investigate if the Georgian legislative framework and national policies adequately address the issue.

Scope

The situation analysis will focus on climate change processes and their effects on women's life and rights in Georgia. More precisely, ***the analysis will investigate the effects of natural disasters (such as landslides, floods, forest fires etc) and desertification on women living in Adjara, Kakheti and Samtskhe-Javakheti regions respectively.***

The different studies conducted worldwide reveal that the female victims of natural disasters greatly outnumber their male counterparts. The principal cause of this increased vulnerability is the socio-economic gap between men and women. Insufficient access to education and information (for instance, in some countries, women are not encouraged to learn to swim) and lower income (women make 20 to 30% less than men) are just two examples of the ways gender inequality continues to manifest itself today.⁷¹

As for desertification, the latter tend to have an impact on women's lives in various ways. The desertification processes limit women's access to productive assets, including land, water and livestock and thus strain their abilities to assure the survival of their families and manage natural resources. In addition to this, because ownership and decision-making over land and livestock remains predominantly the domain of men, women are often excluded from participation in land conservation and development projects, from agricultural extension work and from the overall policymaking process.⁷²

Adjara and Kakheti regions are among the most vulnerable and affected regions of Georgia by different types of natural disasters and desertification processes. Although, a considerable number of national and international initiatives have been undertaken to study the underlying processes and also to increase the resilience of local populations to effectively cope with the issues, little if no attention has been paid to specific challenges the natural disasters and desertification create for women and their capacity needs in order to empower them to better cope with challenges imposed by nature.

⁷¹ <http://discov-her.com/en/article/preventing-natural-disasters-the-crucial-role-of-women>

⁷² <https://www.ifad.org/documents/10180/02b5cc0c-5031-43d4-8ebe-7c23568bec80>

Activities

The following activities are to be conducted in order to achieve the objective of the study:

- Analysis of existing legal and policy frameworks (national as well as international) in relation to environmental justice and women's rights in Georgia;
- Desktop research on existing studies/projects and findings on environmental impacts (with the focus on natural disasters/desertification/forest fires) and their impacts on women (especially in the regions of the study);
- Identification of main stakeholders;
- Elaboration of the design of the survey (questionnaires, groups of stakeholders to be interviewed);
- Survey: interviews with 1) local women and men in Adjara, Kakheti and Samtskhe regions; 2) other relevant stakeholders, including policy makers;
- Analysis of the findings of the desktop research and survey;
- Elaboration of conclusions and recommendations for next steps;
- Presentation of main conclusions and recommendations to main stakeholders.

Results

As the result of the situation analysis the following results are expected to be achieved:

- The main types of and reasons for environmental injustices towards women in Georgia are identified;
- The main stakeholders' groups are identified;
- The gaps within existing legal and policy frameworks in relation to environmental justice and women's rights are identified;
- The main findings and recommendations for next steps are identified and agreed with main stakeholders;
- Concrete activities to be undertaken within the project to address the issues identified by the Situation Analysis are planned to be implemented.