

## **LEGAL REGULATIONS ON GENDER QUOTAS IN GEORGIA: CURRENT SITUATION AND CHALLENGES**

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**Abstract:** *Gender inequality has specific causes in each country. In today's Georgia, this is primarily due to the low level of Georgian political culture, the extremely polarized political environment, and public distrust of political parties based largely on the "language of hate" and not on ideological competition. Achieving gender equality at all levels of government is a matter of democracy and human rights protection. Making the most of a country's talent and expertise has a beneficial impact on development, economic prosperity, and security. Expanding and refining the quota policy is important for the country to take further steps towards real gender equality and for the country's political agenda to acquire a diversity of perspectives. Key words: Gender Quota. Political Culture. Association Agreement.*

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### **INTRODUCTION**

The rise of technological progress has ensured the maximum possible level of awareness for individuals, accurate formulation of personal and social rights and obligations, and has laid the foundation for an entirely new legal framework. Thus, the real protection of human rights and freedoms gradually began, which was reinforced through legislative acts.

The history of law over the centuries has primarily focused on the legal structure of the state and the development of civil and criminal law. In these legal acts, human rights and freedoms are strictly differentiated, and subjective inequality and bias in the law are evident (G. Lobjanidze, 2009).

In ancient civil relations, it was almost impossible for a woman to be positioned as the head of the family. However, Egyptian law allowed such a possibility, and as history shows, women even governed the empire. A similar situation existed in India, where, if sons did not have royal blood from their mother, a woman whose mother was a descendant of the king would ascend to the throne. In general, the ancient legal systems began discussing women's rights very late, and in sociology, ideologies like matriarchy and "mother's law" emerged. The first work on this subject was written by F. Engels, and the second by Johann Bachofen (G. Lobjanidze, 1992).

As for Georgia, there was certainly no equality among all members of society, but the attitude towards women was not as harsh as in Rome and other ancient countries. In Georgia, women were not completely powerless, and there are many historical and literary facts that attest to this. For instance, in 1027, when the newly crowned Bagrat IV faced problems in Tao-Klarjeti from the Byzantines, his mother, Queen Mariam, initiated negotiations with the Byzantines. This was Queen

Mariam's first diplomatic mission, which she handled excellently, and her visit to Constantinople became a symbol of a new political course for Georgia, culminating in the Byzantine Emperor marrying his daughter, Helena, to Bagrat IV, thus establishing peace between the two countries (V. Metreveli, 2005).

Thus, issues of social equality are rarely found in the legal acts of ancient and medieval times. Different civilizations had different attitudes toward these issues. Interest in these matters, especially gender equality in governance, was not fully realized until the 20th century.

In Georgia, women's status was mostly expressed with respect as wives and mothers. However, political involvement of women remains a major dilemma even today. Various reasons, similar to other countries, underpin this. It is noteworthy that in 1919, among the 130 deputies of the Constituent Assembly of the independent Georgian Republic, 5 were women.

Moreover, following the introduction of mandatory electoral gender quotas in Georgia (2020), women's political participation nearly doubled compared to the previous election. For example, in the 2017 elections, the number of female candidates in the proportional list was 20%, but after the introduction of quotas, this figure surpassed 30%.

However, despite the significant presence of women in the executive branch (53%) and the fact that Georgia ranks 18th among countries with female heads of state (EGI, 2021), the overall political participation of women remains low in local self-government and parliamentary bodies. The influence of women on decision-making and policy formation is limited (UNDP, 2022).

All of the above highlights the necessity for democratic-political development of political parties and the sustainability of this process. This is why gender quotas are so important for increasing women's political participation. It should also be noted that while gender quotas may not be the best mechanism, there is currently no more effective tool to rapidly increase female representation in politics.

In 2024, an initiative was presented to the Georgian Parliament, proposing amendments to the "Political Union of Citizens" and the "Georgian Electoral Code," including the elimination of the mandatory gender quota and the abolition of the 30% budget supplement for women's participation and empowerment in politics (Transparency International Georgia, 2024). This contradicts one of the 12 conditions set by the European Commission for the country's equality achievement.

## **LITERATURE REVIEW**

The earliest advocate for gender equality was Christine de Pizan, a French writer of Italian origin in the Middle Ages. Pizan was the author of numerous philosophical treatises discussing the role and position of women in society and family. Most modern researchers consider Pizan's works to be the origin of the feminist movement (Riane Eisler, 2007).

After World War II, the United Nations adopted a series of legislative acts to promote gender equality and the full realization of women's rights in public life:

- "Declaration on the Elimination of Violence Against Women" (1993)
- "Convention on the Elimination of All Forms of Discrimination Against Women" (CEDAW) (1979), which is regarded as the international bill of rights for women. Georgia joined in 1994.
- "Convention Against Discrimination in Education" (1960), Georgia joined in 1993.

Following numerous studies, meetings with various groups, and international conferences, the strategy for gender equality was outlined as follows:

- Ensuring equal access to justice for women;
- Preventing and combating violence against women;
- Fighting gender stereotypes and sexism;
- Achieving balanced participation of men and women in political and public decision-making;
- Achieving gender mainstreaming in politics and all dimensions.

Gender quotas are crucial in realizing one of the most important constitutional principles: equality. To achieve this, the state must take thoughtful and consistent actions.

A 2021 study by the Georgian Young Lawyers' Association showed that merely having formal mechanisms is not enough. The state has international obligations and challenges to combat discrimination and achieve substantial equality.

## **INTERNATIONAL STANDARDS**

An important legal document on gender equality is the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), which emphasizes not only gender equality but also women's political equality. Participating states are obliged to ensure the principle of equality in their national constitutions or other appropriate legislation and periodically report on the measures taken to implement the convention.

A key international document on gender quotas is the UN International Covenant on Civil and Political Rights, which has been in force in Georgia since August 3, 1994. According to the Covenant, individuals, regardless of gender, have the right to enjoy all social and political rights.

The Beijing Declaration and Platform for Action requires member states, including Georgia, to:

- Take measures to ensure women's equal participation in public and political life;
- Increase opportunities and skills for women to participate in decision-making positions.

## **NATIONAL STANDARDS**

In Georgia, gender equality and women's participation in politics are guaranteed by:

- The Constitution of Georgia;
- The Law on Gender Equality;
- The Georgian Electoral Code.

The 2017 constitutional reform, based on the involvement of women's rights organizations and political participation working groups, declared the idea of substantive equality in Georgia's Constitution. This means guaranteeing equal opportunities for men and women and committing to using all legal tools to eliminate inequality.

In addition to the Constitution, Georgia has a Gender Equality Law that guarantees equal electoral rights. However, despite legislative and legal guarantees, the introduction of the mandatory gender quota has become a significant mechanism to combat inequality in politics.

## **CONCLUSION**

In today's global and competitive world, rapid political and economic development is crucial, and decisions should not be based on individual conformity but should be made according to the country's needs and political agenda. We should not rely on artificial tools like gender quotas to enforce gender equality and women's rights in politics.

## **KEY FINDINGS**

- Mandatory gender quotas have not only changed attitudes toward them but have also led to increased political activity among women;
- Georgian political parties face weaknesses in identifying, engaging, and promoting women's participation and professional growth;
- Female politicians often encounter gender stereotypes, which may demotivate them.

## RECOMMENDATIONS

- Rather than eliminating gender quotas, the legislative framework should be revised (Georgian Electoral Code);
- The Electoral Code should include provisions about the time limits for mandatory gender quotas;
- A large-scale campaign for the empowerment of women in politics should be developed.

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