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*Promoting Rule of Law  
in Georgia (PROLoG)*

## LEGAL CHANGES ADDRESSING SEXUAL HARASSMENT AND DISCRIMINATION

Following on the initiative of the members of Gender Equality Council of the Parliament of Georgia, and with the support of USAID-PROLoG, the Government passed legislative amendments to regulate sexual harassment in the workplace and public spaces. These amendments significantly expand the Public Defender's authority for effective use of anti-discrimination mechanism and enforcement of decisions.

The Public Defender's Office is now responsible for examination and enforcement of sexual harassment in the workplace, while the Ministry of Internal Affairs will be responsible for cases in public spaces.

### Sexual Harassment in the workplace

To facilitate these changes, the following Georgian laws were amended: The Labor Code the Law on the Public Defender and the Civil Procedure Code.

- In labor relations, the unwanted sexual behavior against the person which aims to or leads to violation of his/her dignity and creates an intimidating, hostile, degrading, humiliating, or offensive environment, will be considered as sexual harassment.
- The employer will be obliged to take measures for equal treatment of all employees, as well as to include provisions on prohibition of discrimination in internal regulations, and to ensure their fulfillment.

- The Public Defender's Office will have the right to receive all necessary materials regarding cases related to discrimination from public institutions, as well as from natural persons and legal entities within 10 days. This includes a written explanation on all relevant issues.
- State authorities, local self-government bodies, public institutions, officials, natural persons and legal entities who will receive recommendations or proposals from PDO will be obliged to inform PDO within 20 days in writing about the results of their review.

➤ If there is sufficient evidence of discrimination, and the entity does not respond to or adopt his/her recommendation the Public Defender's Office will be authorized to apply to the court as a plaintiff, and require fulfillment of its recommendations

➤ A person, who considers himself a victim of discrimination, will have one year to apply to court, even if he is no longer associated with the entity where the discrimination took place.

## Sexual Harassment in public spaces

The Code of Administrative Offenses of Georgia was also amended.

Unwanted sexual behavior against a person in public spaces aimed to or leading to violation of his/her dignity and which creates an intimidating, hostile, degrading, humiliating, or offensive environment, will be considered as sexual harassment. Behaviors of a sexual nature include comments of a sexual nature, showing genitals, or other non-verbal physical conduct of a sexual nature.

➤ Sexual harassment in public space (public transport, public places, squares, etc.) will be subject to a fine of GEL 300

➤ Repeat conduct committed within 1 year will be subject to a fine of GEL 500, or community work for up to 1 month;

➤ Premeditated sexual harassment in public space committed against a juvenile, pregnant woman, person in a helpless state or disabled will be subject to a fine from 500 to 800 GEL; repeat committed within 1 year of the administrative penalty, or committed by two or more persons, will be subject of a fine of 800 to 1000 GEL, community work for up to 1 month, or administrative imprisonment for up to 10 days.

The protocols of administrative offenses about sexual harassment in public space shall be determined by the authorized official of the Ministry of Internal Affairs and the case must be reviewed by the court within 7 days.