

**Decree of the President of Georgia**

#665

October 5, 2009

Tbilisi

**Identification of Victims of Domestic Violence**

1. The attached Statute on the Identification of Victims of Domestic Violence shall be approved.
2. The decree shall come into force upon publication.

M. Saakashvili

**Statute on the Identification of Victims of Domestic Violence**

**Article 1. Sphere of Regulation**

The present Statute establishes unified rules for the identification of victims of domestic violence, determines entities participating in the identification process and their competence.

**Article 2. Authorized Entities for the Identification of Victims of Domestic Violence**

1. The Patrol Police Department of the Ministry of Internal Affairs, territorial units of the Ministry of Internal Affairs and the court carry out the identification of victims of domestic violence within their own mandates and according to the procedures established by the legislation of Georgia.
2. The entities listed in Part 1 of the Article identify the victims of domestic violence by issuing restraining and protective orders, according to the Georgian legislation and within their own mandates.
3. In case the entities listed in Part 1 of the Article are not addressed, the identification of alleged victims of domestic violence is carried out by the Group for Granting the Status of Victim of Domestic Violence under the Interagency Council for Prevention of Domestic Violence (hereinafter "Victim Identification Group").

**Article 3. Victim Identification Group**

1. The Interagency Council for Prevention of Domestic Violence establishes the Victim Identification Group.
2. The Victim Identification Group consists of not less than three persons, including a social worker, a psychologist, and a lawyer.
3. The Victim Identification Group meets on necessity bases within three days after the receipt of an Identification Questionnaire.

4. The Victim Identification Group regularly submits information on alleged victims and actions carried out to the Legal Person of Public Law -State Fund for the Protection of and Assistance to the Victims of Human Trafficking and Sufferers (hereinafter “State Fund”).
5. Members of the Victim Identification Group shall keep the identification data of alleged victims confidential, irrespective of whether they granted or did not grant the status of victim.

#### **Article 4. Granting the Status of Victim of Domestic Violence by the Victim Identification Group**

1. In cases where protective and restrictive orders set forth in Article 3 of the Law of Georgia on Prevention of Domestic Violence, Protection of and Assistance to Victims of Domestic Violence are not used for identification and prevention of domestic violence, the issue of initial identification of a victim of domestic violence and granting the status of alleged victim is considered by the Victim Identification Group within three days from the receipt of an application from the authorized entity.
2. The Victim Identification Group makes a decision on whether to grant the status of alleged victim of domestic violence to a person, based on information submitted by relevant organizations and in a special identification questionnaire. In case of necessity, the Victim Identification Group is authorized to meet the alleged victim in order to get additional information.
3. The Victim Identification Group takes decision on granting the status of alleged victim by, two-thirds majority vote.
4. The special identification questionnaire is filled in by the authorized international or local non-governmental organization based on an interview with an alleged victim. The questionnaire is then submitted to the Victim Identification Group. The Victim Identification Group reviews the issues for granting the status of alleged victim to a person, on the basis of the questionnaire.
5. After granting the status of alleged victim, he/she can be transferred to the Shelter for Victims of Domestic Violence, if they wish so. Before granting the status of victim and in case the person wishes so, he/she can be placed in the Crisis Center.
6. While granting the status of alleged victim, the Victim Identification Group informs the alleged victim on the Shelter, the Crisis Center and other available programs.
7. The Victim Identification Group informs the State Fund on whether or not the status was granted to the alleged victim.