

# Human Rights Council

## Joint Submission for the Universal Periodic Review

Georgia: January, 2021 (3<sup>rd</sup> Cycle, 37<sup>th</sup> Session)

### Ethnic and Religious Minorities Rights Condition in Georgia

#### Human Rights and Religious Organizations Coalition:

Human Rights Education and Monitoring Center (EMC), Civil Integration Foundation (CIF), Peace Foundation, Human Rights Center, Democracy Research Institute (DRI), Youth for Diplomatic Engagement, Georgian Muslims Union, Pankisi Youth Initiative Group, Kakheti Regional Development Fund (KRDF), Platform Salam, Georgian Evangelist-Baptist Church, the Supreme Religious Administration of Georgia's All Muslims.

The Coalition was formed to prepare joint statement for the 3rd UPR cycle of Georgia. Civil society organizations of this coalition are well established NGOs, as well as religious organizations which are actively working for the improvement of ethnic and religious minority rights in Georgia. The information provided in this report is prepared by participant NGOs based on their studies, research, personal and community experiences, cases, advocacy and lobbying on policy level.



#### Contact Person:

**Teona PIRANISHVILI, Project Coordinator of EMC**

**Address:** I. Abashidze str N12b; 0179 Tbilisi, Georgia

**Email:** teo.phiranishvili@gmail.com

**Tel:** +995 32 2 23 37 06

## 1. Introduction

1. The Coalition of human rights organizations, as well as religious organizations engaged in rights protection was established to provide precise information for the 3<sup>rd</sup> UPR Cycle on the implementation of previous recommendations (see Annex 1 - Matrix) and on current situation.
2. The members of the coalition have been involved in 2nd UPR cycle, presented joint and individual submissions.<sup>i</sup>
3. The present joint submission covers 2015-2020 years and addresses the issues reflecting the situation of ethnic and religious minorities in Georgia. The report outlines the human rights situation of ethnic Georgian minorities in Gali and Akhagori, in the occupied regions of Abkhazia and South Ossetia/Tskhinvali region, respectively.

### 1.1 Methodology

4. The submission is prepared by the members of the coalition based on their research, studies, field work, case law analysis and litigated cases. The coalition members have individual and collective experiences of proceeding strategically important cases on national and international level. They also have worked with religious and ethnic communities. Furthermore, some of the coalition members are grassroots activist initiatives from ethnic/religious communities, as well as religious organizations. Therefore, the findings and recommendations reflect voices of affected communities.
5. Furthermore, where relevant, the report is reliant on the information received from the state agencies, the Public Defender of Georgia, and the assessments of local and international human rights organisations.

## 2. Introduction to the National UPR context

6. The last review of Georgia within the 2<sup>nd</sup> UPR Cycle was in 2015. Georgia received 203 recommendations, out of which 191 were supported and 12 noted.
7. More specifically, within the 2<sup>nd</sup> cycle Georgia accepted 18 specific recommendations on ethnic minority rights, 5 noted and 13 supported.<sup>ii</sup> Majority recommendations were related to the improvement of education quality, participation in civil, political and cultural lives. As for the Freedom of Religion or Belief, Georgia received 16 recommendations, 15 were supported and 1 noted.<sup>iii</sup> Georgia accepted three recommendations related to human rights situation in Russian-occupied Abkhazia and South Ossetia/Tskhinvali region.<sup>iv</sup>

## 3. Ethnic Minority Rights

### 3.1. Participation and representation

8. The existing civil and political environment excludes national and religious minorities, which is noticeable in the dominant ethno-religious nationalism discourse. It perceives minority groups either as “threats” for national security or as “guests”, “foreigners” which are not equally treated. The security perspectives undermines integration and further deepens oppression of vulnerable groups.
9. Adoption of 2015-2020 State Strategy for Civic Equality and Integration, as well as its action plans is a positive development in terms of coordinating integration policies.<sup>v</sup> However, these documents do not respond systemic challenges faced by ethnic minorities, nor their implementation was adequate to overcome deeply rooted isolation, stigmas and oppression.
10. Coalition is concerned that SMR<sup>vi</sup> office is not equipped with needed political power and financial backing to overcome these challenges and it basically maintains a weak coordinative character, while lacking professionals of integration and minority rights.
11. Minorities effective participation in decision-making process is hindered by the fact that participatory mechanisms is not prescribed under the law.<sup>vii</sup> There is no positive mechanism, (quotas, lower threshold, reserved seats, etc) that could strengthen political participation. As for the consultative

mechanisms, the only body that sustainably exists is National Minority Council under Public Defender's office. Its existence within PDO's structure is important as it creates guarantees of institutional independence. However, it is not genuinely connected with executive or legislative branches as a compulsory consultative mechanism and performs rather self-organized autonomous forum. Their irregular involvement in decision-making processes was criticized in the last opinion of CoE Advisory Committee on Georgia. Other "attempts" to establish consultative mechanisms under SMR do not qualify international standards, as they are not sustainable, regular, open for minority organizations or simply functionates as interagency coordinative council.

12. No political parties represent interests of ethnic minorities. Recent sociological research revealed that 46% of respondents do not see their group interests within political parties' agendas.<sup>viii</sup> Underrepresentation in political life and prohibition of political parties on a territorial principle remains an obstacle to political participation.<sup>ix</sup> Although 11 members of parliament are from ethnic minorities, they do not use their positions to improve the situation of their communities. In several cases, they do not hold state language well.
13. Underrepresentation is problematic on local city council level in the municipalities where minorities are densely populated.<sup>x</sup> The latest research of ISSA indicates that 69.9% of respondents have never applied to the local self-government authorities for their private or family needs and 76.5% has not applied for public needs.<sup>xi</sup>
14. In such context, local authorities, as well as the territorial state agencies do not provide translation services in the administrative proceedings, local social services, bilingual operation of their official websites and social pages (Facebook). While state authorities are required to provide **easy, prompt, effective and practical access to public information**, minorities cannot use their native language when communicating with governmental authorities, even on local level where they are densely populated.<sup>xii</sup> The knowledge of Georgian language is the lowest in Kvemo Kartli ethnic Azerbaijani Community.<sup>xiii</sup>
15. Right to information is another barrier for minorities' effective political participation. Overall, only 54% of minorities receive information in Georgian language about social and political events in Georgia, among which the rate of minority groups that do not hold Georgian language is extremely low.<sup>xiv</sup> Georgian Public Broadcaster translates information in minority languages which is accessible only via social network. Access to information is hindered due to "digital divide" in the minority villages and small towns. The lack of access to the information in minority understandable language became crucial during Covid-19 pandemic.<sup>xv</sup> When pandemic outbreak, state did not take active positive measures to disseminate information which resulted in the total lockdown and was followed by severe social crisis. It is noteworthy, that the 35% of infected people in Georgia were from the Kvemo Kartli minority region.<sup>xvi</sup>
16. The authorities do not take positive measures for the minority employment in the municipality organs. Government recently commenced internship program for the graduates of special university program "1+4",<sup>xvii</sup> however it does not serve for their employment and its substance is frequently criticized.
17. The deficiencies in political participation entails in minorities cultural under-representation or misrepresentation. Renaming and changing the concepts of minority cultural events, vanishing minority culture as if it does not exist are evident practices.
18. Recent analysis of one culture center in Kvemo Kartli, where more than 80% ethnic minority reside, revealed that in 2018 out of 68 cultural events, only 4 were dedicated to minority culture; in 2017, 4 events out of 58 and in 2016 only 1 event, out of 47.<sup>xviii</sup>
19. Minority cultural heritage and touristic sites are also invisible on the general touristic maps, and state do not grant them protection status, which endangers their existence and maintenance. Local municipalities are mostly producing touristic maps and videos, where minorities do not see themselves.

### 3.1.1. Recommendations:

1. Strengthen the mandate of SMR, as well as its financial backing and staff qualification to implement effective integration policies.

2. Conduct consultations and discussions with minorities and human rights organizations concerning the special mechanisms of political participation.
3. Establish long-term, sustainable minority consultative mechanisms in connection with the Parliament of Georgia and on governmental level, as well as within the municipalities, where minorities compactly live.
4. Adopt positive measures to encourage the employment of ethnic minorities in central and local government institutions, with particular emphasis on the graduates of university program 1+4;
5. Georgian Public Broadcaster should increase access to information in minority languages by translating major news programs. Furthermore, it should promote multicultural TV programs and increase minority visibility in social, cultural and political issues.
6. In parallel with the use of the state language, set up translation resources into minorities language for important public documents and legal acts, also during the administrative proceedings;
7. Municipal City Councils should provide synchronic translation of public meetings to increase participation of Council's minority members and general community.
8. Create the list of ethnic minority cultural objects/heritage and in accordance with the needs and priorities, take specific measures for their protection and popularization.
9. Municipal cultural centers should give specific attention to minority culture protection and development, and establish consultative mechanisms to implement and monitor specific action plans and strategies.

### 3.1.2. Advanced questions

- a) What are the specific measures that government took for the improvement of ethnic/cultural minority access to development since 2<sup>nd</sup> cycle?
- b) What affirmative measures (legislative or political) are taken to increase minority political participation? Are long-term steady minority consultation mechanisms created within the governmental branches? How often had the government consulted with PDO national minority council since the last cycle?
- c) What are the statistics of minority employment in central and local municipality organs?
- d) How many ethnic minority cultural heritage sites are protected under cultural heritage statuses?
- e) How many minority cultural events are celebrated systematically on central or municipal levels?

### 3.2. Minority's access to quality education

20. Ethnic minority education remains problematic, which hampers their access to development, as well as effective participation in civil and political lives. Education reforms, in general, were inconsistent and unstable as five education ministers were changed within this UPR cycle,<sup>xix</sup> which also hindered progressive development of minority education. Furthermore, state itself does not regularly evaluate the situation and do not gather specific data to have updated vision on education needs.<sup>xx</sup>
21. If we consider the results of the school graduation and university entry exams as an indicator of general education quality, it becomes clear that the non-Georgian schools are having relatively poor standards compared to the Georgian schools. The percentage of students who have failed in school exams at non-Georgian schools specifically varies from 8.23% to 29.95% depending on the subject, while the same indicator on the national level is between 1.5% and 4.5%.<sup>xxi</sup> According to the Ministry of Education data on school exam failures, in 2011-2018, minority regions-Kvemo Kartli and Samtskhe-Javakheti have the highest rates, respectively 11.3% and 10.7%.
22. The qualification of teachers remains problematic, particularly in the bilingual system. The graduates of "1+4 program" are not supported to get fulltime employment at public schools, while existing teachers cannot guarantee the high quality of education at bilingual classes and in minority language

schools. The number of certified teachers in non-Georgian schools is extremely low, averagely only 5% of teachers pass the certification exams.<sup>xxii</sup> Furthermore, according to the EMIS data of 2014, 6830 teachers are functioning instead of needed 15375 teachers in non-Georgian schools.

23. The multi-lingual textbooks have significant gap in terms of methodology, adequacy to the level of education and real needs of minorities. In the primary classes only 70% of textbooks are translated into native language and 30% remains Georgian. As the teachers are not adequately trained in Georgian and in multi-lingual teaching, they simply skip untranslated 30%, which decreases education quality. Translation itself is considered problematic.
24. Furthermore, native language textbooks (Armenian and Azerbaijanian languages) are imported from neighboring countries. This practice is problematic as no one checks the quality and content and their relevance to the Georgian ethnic minority context.
25. As for the school dropout,<sup>xxiii</sup> if we compare dropout rates in various regions of Georgia, minority regions have the highest numbers – in Kvemo Kartli, in 2016, 3.8% of pupils left the school which is twice more comparing to other regions and center.<sup>xxiv</sup> One of the reason, apart from hard social conditions and labor migration, is early marriage practice in minority girls, which itself has various social factors and requires complex approach of educational and social institutions, and not only police measures.<sup>xxv</sup>
26. The poor quality of school education at the same time is caused by deficiency of kinder gardens at minority municipalities. Neither kinder gardens are enough nor they develop bilingual and multicultural approaches and methodology, having only nurturing functions.
27. As for the higher education, due to the deficient state language teaching in minority schools, government elaborated affirmative measure to improve access to higher education. 1+4 program revealed its positive results, but it needs development as one year is not sufficient for obtaining such level of state language knowledge to enable bachelor studies. It is extremely stressing for students to be competitive among native speakers. The university drop-out is also concerning.<sup>xxvi</sup> Furthermore, the program expires in 2020 and it is under risk of termination.

### 3.2.1. Recommendations

1. Conduct comprehensive study of minority education system gaps, including the gaps in state language teaching, and the roots of inequal conditions.
2. Elaborate reform and state policy for multi-lingual and multi-cultural school education, which will be regularly monitored and revised based on research data.
3. Develop the concept of multi-cultural and multi-lingual kinder gardens, schools and universities.
4. Increase employment of 1+4 program graduates in public schools.
5. Establish sustainable and long-term training and development programs for minority school teachers.
6. Create school bilingual textbooks with parallel translations, which will be based on the existing experience and the needs.
7. Continue support of 1+4 university program and take additional steps for its development; Including, create the resources for 1+4 students' scholarship funds.

### 3.2.2. Advanced Questions

- a) What is government's policy for improving multi-lingual and multi-cultural education? Are the teachers trained systematically on such matters? how many teachers were trained?
- b) How government provides equal access to educational resources for minorities (textbook, number of teachers, etc.)?
- c) What is the updated statistics of school and university dropout in minority regions, indicating the dynamics throughout the last 5 years?
- d) Is government going to continue special high education program 1+4? what steps are planned for its improvement?

### 3.4. Law-enforcement and ethnic minorities

28. The law-enforcement and security officials' approaches and working practices in minority regions requires special attention. State policy in Pankisi Gorge, where Qist minority reside, is a clear example of dominant security-based approach established historically towards ethnic minorities.<sup>xxvii</sup> Illegal killing of 19 years Temirlan Matchalikashvili during the special police operation in Pankisi in 2017 and following flawed investigation process lustrated these approaches. While the case was not investigated, Matchalikashvili was unreasonably blamed by the security officials for being affiliated to terrorism.<sup>xxviii</sup> The family submitted an application at ECHR.
29. During the reporting period police power was again demonstrated in 2019 April, again in Pankisi where civil movement commenced against hydroelectric plants constructions.<sup>xxix</sup> The locals commenced litigation and the governmental authorities promised public discussions. However, regardless the promises, government responded with oppression and persecution. The controlling practices were continued with the demonstration of special police forces, when the heavy police technics were mobilized unexpectedly in the region.<sup>xxx</sup>
30. The killing of Vitally Saparov clearly demonstrated the real threat coming from the neo-Nazi/fascist groups. Young human rights defender, Saparov, was brutally killed in 2018 on ethnic grounds, however the court did not establish such grounds while adjudicating the case.<sup>xxxi</sup>
31. The minority municipalities (Marneuli and Bolnisi) were the first that were locked down during the pandemic outbreak.<sup>xxxii</sup> The close observation on this process revealed that language gaps, inhumane and strict police approaches, arbitrariness and no understanding of minority context were problematic. Instead of proper informing and taking preventive approaches, the police did not take into account the existing severe social conditions, and aggressively imposed administrative fines.
32. State Security Service (SSS) negative engagements in Azerbaijani community were also noticeable during and post-pandemic period. Religious leaders and community activists were several times interrogated<sup>xxxiii</sup> due to their criticism and protest of severe social conditions. Furthermore, the renovation of Azerbaijanian public figure monument by the Marneuli Mayor caused extremely tense situation in Kvemo Kartli. Instead of engagement of political organs to resolve the created ethnic tension with reconciliation and discussion methods, SSS commenced investigation. There was no sign of criminal act and an investigation was commenced on serious allegations of racial discrimination by SSS and not by police. Investigation by SSS is more closed and non-transparent, as they impose an obligation of information non-disclosure to the respondents. Clearly, the application of such a procedural mechanism is aimed at taking the investigation process out of the public control. Furthermore, SSS does not have jurisdiction to investigate crimes related to the equality which further indicates their arbitrary involvement in minority matters. Most problematically, SSS treated activists and human rights defenders equally as racists groups. Obviously, the law-enforcement authorities aimed to have 'chilling effect' over activism in the minority region and did not commenced as an answer to the chauvinistic and discriminatory treatment towards minorities.<sup>xxxiv</sup>
33. During the pandemic lockdown, the hate speech against the Azerbaijani community was spread aggressively, including by the ultra-conservative groups. This was not responded to by high-ranking state officials and was not subject of any confidence building measures.

#### 3.4.1. Recommendations

1. Eradicate tense and arbitrary police/security authorities control practices in minority regions and instead, elaborate democratic approaches based on community needs.
2. Investigate human rights violations, including illegal killing of Temirlan Matchalikashvili and organized racial discrimination against ethnic Azerbaijanian community.
3. Reform State Security Service to deconcentrate its excessive powers and to increase public and parliamentary control.
4. Create consultative platform for public organizations within National Security Council on minority issues.



### 3.5. Ethnic Minority Social vulnerability

34. Ethnic minorities are one of the most socially vulnerable community in Georgia. The latest sociological research revealed that 27.6% of minority population lives below the subsistence minimum (180 GEL), while this number is 21% in general population.<sup>xxxv</sup>
35. Minority regions are mostly deprived from basic infrastructural benefits. In most regions drinking water and irrigational system is not available. The lack of water resources became critical challenge during the pandemic.<sup>xxxvi</sup> The minorities that are historically depended on agriculture are left without land plots due to the unfair separation after USSR, when handful of people gained ownership on majority of village lands.<sup>xxxvii</sup>
36. The social vulnerability of ethnic Qist community in Pankisi Gorge revealed in increasing trends of migration. Due to hard-social conditions and low level of employment, as well as repressive police and security practices caused the high rates of migration. In 2017-2018, more than 120 students left Pankisi schools and roughly 300 young people migrated in various countries of Europe and asked for refugee status.<sup>xxxviii</sup> According to the Social Service Agency, as of 2018 the number social package receivers reduced with 1189 people within 14 months. Almost one hundred families lost their social assistance packages in Akhmeta Municipality (where Pankisi Gorge is located), which is the highest number of reduction if we compare the data of 2017 and 2018 of all municipalities in Georgia.<sup>xxxix</sup>
37. In the municipalities where state language knowledge is lower, the access to social and public services is even restricted. No information on social services are translated in minority languages, social workers do not hold minority language and the method to gather information from minority families about their economic condition is questionable. Frequently minorities claim that they simply sign the papers filled by the social agents, not-knowing the content.
38. The analysis of minority social vulnerability is complicated as state do not analyze statistical information with segregated ethnic data. Ethnic segregation of statistical data is important for planning affirmative measures for eradicating unequal conditions of this vulnerable group.
39. The pandemic process revealed that the state was not ready to address the social crisis in the minority regions. While the majority of the families were relied on daily agricultural activities, after lockdown, they were depended on state assistance, which was fragmental and insufficient.<sup>xl</sup>

#### 3.4.1. Recommendations

1. Adopt statistical data revealing ethnic minority social and economic conditions, including information on their migration.
2. Analyze state programs and services from ethnic and gender perspectives that will improve policies directed to their needs.
3. Provide information on available social and medical assistance programs in minority languages and proactively spread this information in minority regions.
4. Adopt measures to support minority engagement in social and medical assistance programs.
5. Appoint adequate number of social workers and agents with minority language knowledge for each region, where minorities are densely populated and have state language knowledge problems.
6. Develop infrastructure to improve access to water, both drinking and irrigational in minority villages.
7. Implement land reform to make agricultural lands available for minorities.

#### 3.4.2. Advanced Questions

- a) What special measures are taken by the government to face social vulnerability of minority groups?

- b) what are the migration rates among ethnic minority groups in Georgia and what are the reasons?
- c) Are ethnic minorities or personnel with minority language knowledge employed as social workers and social agents?

### 3.5. Georgian Ethnic Minorities' rights in the occupied territories of Georgia

40. The human rights situation in Russian-occupied breakaway regions of Abkhazia and South Ossetia/Tskhinvali Region is particularly challenging.<sup>xli</sup> The lack of access of international human rights mechanisms further obstacles effective protection and monitoring, which was marked as challenging lately by US state department.<sup>xlii</sup>
41. Ethnic Georgian population living in Gali District, Abkhazia and Akhagori District, Tskhinvali Region, where they represent ethnic majority are particularly affected by severe human rights restrictions. They are deprived to exercise number of basic civil, political and socio-economic rights, including right to education in native language, freedom to movement, prohibition of arbitrary detention, right to vote, right to adequate health care.
42. From 2013 to 2016, out of five crossing points connecting Abkhazia with the Tbilisi-Administered territory (TAT), three were closed by the de facto and Russian authorities. As a result, ethnic Georgians (nearly 3400 families in 11 village) who commonly travelled to TAT for healthcare, education, family and economic activities<sup>xliii</sup> through these checkpoints were restricted. The left two crossing points at Enguri Bridge and Saberio has been arbitrarily closed for number of reasons by de-facto authorities.
43. The practice of arbitrary "border" closures is also very problematic for ethnic Georgians as well as Ossetians in Tskhinvali region. On September 4, 2019, the closure of only checkpoint in Akhagori led to a humanitarian crisis in the region. It became impossible to supply the region with essentials, and the population was left without vital social and medical services, which in certain cases had fatal results.<sup>xliv</sup>
44. The arbitrary installment of physical barriers, including border markers, fences and barbed wires alongside the Administrative Border Line (ABL) by the de facto and Russian authorities' further obstacles the freedom of movement and deepens isolation between communities.<sup>xlv</sup> The total length of the barbed wires near Abkhazia ABL amounts to approximately 49 km out of 145 km.<sup>xlvi</sup> At least 34 villages near the South Ossetian ABL had been divided by fences separating residents from critical infrastructure (farms, pasture, irrigation, cemeteries, etc.).<sup>xlvii</sup> This often results in the loss of property and land.
45. There has been no progress in terms of ensuring justice for the killing of Giga Otkhozoria, ethnic Georgian who was killed by the so called "border guard" at the ABL in 2016. The de facto authorities arbitrarily dropped charges against the alleged perpetrator.<sup>xlviii</sup> The series of arbitrary detention and torture/killing was continued by the death of Archil Tatumashvili in 2018. On March 12, 2019, another Georgian citizen, Irakli Kvaratskhelia allegedly committed suicide while in custody of Russian "border guards" in Abkhazia,<sup>xlix</sup> for which no effective investigation was conducted.
46. The problems related to the personal documentation obstacles ethnic Georgians to realize their fundamental rights, including freedom of movement and right to property.<sup>l</sup> In relation to this, the practice of arbitrary detentions due to the lack of "valid travel documentation" becomes alarming in both occupied territories.
47. Another significant problem is prohibition of education in Georgian language. The last 11 Georgian schools were abolished in 2015 in Gali.<sup>li</sup> Akhagori schools and kinder gardens are also banned to teach in Georgian.<sup>lii</sup>
48. The civil and political rights of the Akhagori population are completely ignored. One example is the persecution and oppression of civil activist Tamar Mearakishvili. De-facto authorities are proceeding number of criminal cases against her for almost three years, leaving her without documents and in this way, in total isolation. Local authorities persecute her for Georgian nationality<sup>liii</sup> and force to leave her hometown.
49. Recently, the cases of media restriction by Georgian government to access villages nearby the dividing occupation line close to Tskhinvali Region has increased which hinders proper broadcast of ongoing



situation.<sup>liv</sup> Since August 2019, journalists, civil activists and human rights defenders are banned to go to the barbed wires and study the local situation.

50. The social situation in the villages close to ABL on TAT is also alarming. The local population has not access to drinking water, in number of villages the drinking water is either polluted or simply absent. The local population do not have access to the first aid medical service.<sup>lv</sup> Furthermore, due to “borderization”, locals lost hectares of their agricultural lands and pastures which was only source of their income.<sup>lvi</sup> Because of the lacl of the irrigation water, the local residents lost their harvest.

### 3.5.1. Recommendations

1. Further enhance knowledge and information on the human rights situation existing in Abkhazia and South Ossetia on international level.
2. Proactively apply international legal human rights instruments in cases of rights violation;
3. Continue cooperation with the international organizations and on diplomatic level to ensure access of international human rights monitoring mechanisms and humanitarian organizations to Abkhazia and South Ossetia.
4. Use all the mechanisms at its disposal, including the international-peacekeeping formats, and ensure the protection of the rights of its citizens, including rights of activist Tamar Mearakishvili.
5. Develop special humanitarian support programs, which in cases of checkpoint arbitrary closures will minimize the harm to the population;
6. Develop a mechanism which on the one hand will ensure the safety of journalists and on the other hand, will enable them to freely pursue their professional activities when covering the creeping occupation issues.
7. Ensure the solution of social and economic problems of residents living close to the ABL on TAT, including their access to clean drinking and irrigation water, access to the ambulatory first aid medical service and take effective measures for their social support.

## 4. Religious Minority Rights

51. The number of challenges are faced by religious minorities for years, without any solution. The discriminatory rule of financing, absence of restitution legislation and policy, domination of security paradigms, ineffective investigation of hate-crimes and drawbacks in preventive policy are major problems. Moreover, in recent years, government has made number of initiatives that contained risks of deterioration of freedom of religion standards and legal environment. Among such initiatives were draft constitutional amendments that aimed to broaden legitimate reasons of intervention in freedom of religion for national security reasons,<sup>lvii</sup> transfer of forest territories exclusively to the Georgian Orthodox Church (GOC),<sup>lviii</sup> initiation of a special law on religious organizations which would increase intervention in their activities.

52. Financing of religious organizations are regulated under two legislative frameworks.<sup>lix</sup> According to the 2002 Constitutional Agreement, GOC regularly receives funding from state (for the current period it amounts 25 million GEL (approximately 9 million\$ per year)). Apart from this GOC receives funding's from municipal budgets, reserved funds and state property resources on *ad hoc* basis. The Constitutional Agreement defines the material compensation of damage received to the GOC in Soviet period, while the damage is not calculated and the immense funding opportunities are subsidiary rather than compensatory. The large number of budgetary resources delivered to the church do not undergo State Audit inspection.<sup>lx</sup>

53. Since 2014, state has been funding four religious' organizations (Islamic and Jewish communities, Armenian Orthodox church and Catholic church). These organizations also receive funds as compensation of material damage caused by USSR. Similarly, material damage is not calculated and

religious organizations are funded without its connection to real damage. However, unlike GOC, spending of budgetary resources by these organizations are strictly controlled by the state. Notably, financing practice is discriminatory as it does not involve all religious organizations, that were damaged during USSR.<sup>lxi</sup> The law obliges religious organizations to establish joint Legal Entities of Public Law or joint councils, and due to such regulation, number of religious organizations are not recipients of state funds, including Supreme Religious Administration of Georgia's All Muslims.

54. The ownership of religious buildings seized during USSR is also problematic now.<sup>lxii</sup> Under Constitutional Agreement, the state recognized GOC's right to return ownership on churches, monasteries, remnants and nearby territories. However, State has not established similar positive practice and legislation for other religious organizations.<sup>lxiii</sup> In recent years, state only recognized temporary rights of usage, but this is rather fragmental and arbitrary practice for state-loyal religious organizations and is applied to such properties that are already functioning in their factual ownership.<sup>lxiv</sup> Some historical religious building are arbitrarily hold by GOC or claims historical/confessional ownership over them and are disputed. Amongst such disputed religious buildings are five Catholic church<sup>lxv</sup> and several Armenian Orthodox church in Tbilisi.<sup>lxvi</sup>
55. The discriminatory financing practices and privileges granted to the dominant religious organization was further continued in May, 2020 when the parliament approved the new Forest Code. It grants the authority to GOC to gain 20 hectares of forest surrounding churches and monasteries.<sup>lxvii</sup> The transfer of significant amount strategically important natural resources to a dominant religious organization clearly violates constitutional principles of equality and secularism and grants unprecedented privileges.
56. In such adversary environment, seven religious conflict occurred in 2012-2016<sup>lxviii</sup> against Georgian Muslim community which was not responded with proper investigation, including in those cases where police beat and detained local Muslims<sup>lxix</sup> and the government had not taken positive measures of conflict transformation. State refrained from defining the historical and confessional ownership over the disputed Mosque in Mokhe, established a Commission which in the context of absence of restitution policy and legislation contained risks of politization. In 2017, the Commission was not able to create the fair resolution precedent and the building remained with "disputed status".<sup>lxx</sup>
57. In 2018, State without any examination or administrative process delivered historical Armenian Tandoiants Church to GOC.<sup>lxxi</sup> Other historical cultural buildings of various religious organizations are under threats of destruction or loss of authenticity. Such practices erases cultural representation of non-dominant religious communities and leaves traumatic affects.
58. Religious organizations have obstacles in building new religious constructions. Muslim community in Batumi cannot get the authorization to construct a new mosque. Batumi Municipality Mayor did not grant construction permission to the self-organized Muslim group.<sup>lxxii</sup> The municipality refusal was considered as discriminatory by the first instance court in 2019.<sup>lxxiii</sup> Court's line of argumentation was based on the condition that GOC also had number of churches constructed in the same municipal zone where Mosque construction was rejected with the argument that this zone is determined for only residential purposes. The litigation continues on Appeal level.
59. Notably, religious organizations are perceived from security perspectives in dominant political discourse. Earlier, religious organizations were managed by State security bodies, but since 2014, security bodies were replaced by State Agency on Religious Issues (SARI) under Prime Minister office. SARI is oriented on financing 4 religious organizations and resolve their property issues, but this mechanism is as a rule, applied for their control.<sup>lxxiv</sup> Such practices require revision of Agency's mandate, reconsideration of its necessity, in general.<sup>lxxv</sup> The SARI real purposes was revealed in its draft strategic document, where Agency openly discussed about religious freedom from security perspectives, revision of liberal legislation on registration of religious organizations, adoption of special law on religion and on legitimizing the hierarchies among religious organizations.<sup>lxxvi</sup>
60. The involvement of religious minorities in decision making process, including the one created with PDO – Religious Council is weak, which was confirmed by ECRI and CoE.<sup>lxxvii</sup>
61. Security perspectives is most obvious in Muslim community, where state is clearly intervening in election or dismissal of religious leaders and in formation of their organizations. Muslim community also do not share the idea of unifying Sunni and Shia denominations under one organization which is state-funded, due to dogmatic and institutional inconsistencies.<sup>lxxviii</sup>

62. Since 2014 hate-motivated crimes has obviously increased. In 2012-2016, 7 instances of religious conflicts raised against Georgian Muslims, which was not addressed by effective legal and confidence/peace building measures.<sup>lxxxix</sup> Effectiveness of measures taken by Ministry of Interior (MIA), including the creation of a department which coordinates and monitors hate-crimes, should be mentioned. However, preventive work of police and other agencies in related to the hate-crimes is rather weak and MIA still does not have specialized police forces which would have investigation mandate with more community-oriented attitudes.
63. Indoctrination and proselytism in public schools is another problem in education system.<sup>lxxx</sup> School textbooks, teaching process and environment do not provide inclusive, equal and multicultural ideas and development.<sup>lxxxii</sup> Racial and ethnocentric practices and loyalty towards GOC by political elites especially damage religious minorities in Adjara and other regions where Muslim community are densely populated.<sup>lxxxii</sup>

#### 4.1. Recommendations

1. Reconsider the problematic mandate and role of the SARI and abolish it. Instead, the Government shall scale up the cooperation with Council of Religions operating under the Public Defender of Georgia, utilize its expertise and recommendations.
2. Adopt policy and legislation on restitution of religious organization's property confiscated during USSR in close cooperation with affected religious organizations, Council of Religions under the Public Defender and Human rights organizations. Before elaboration of restitution policy/legislation protect authenticity and inevitability of historical religious heritage.
3. Eradicate discriminatory practices on authorization of religious constructions, including refrain from hampering full enjoyment of Muslims rights and grant the building permit for the mosque in Batumi.
4. Eradicate discriminatory practices in financing religious organizations which contains risks of their control and violates secularism principles.
5. Adopt policies oriented on peace and confidence building and integration in the communities with experience of religious conflicts occurred against Georgia Muslim communities in 2012-2016.
6. Create hate-crime specialized police/investigation unit within Ministry of Interior Affairs.
7. Strengthen measures to respond ethnocentric, racist, xenophobic and indoctrination/proselytism/discrimination incidents in schools;
8. Establish state policy oriented on creation of multicultural and equal environment and practice in schools.

<sup>i</sup> Human Rights Education and Monitoring Center (EMC), Civil Integration Foundation (CIF).

<sup>ii</sup> Accepted: Turkey (rec. 117.88), Panama (rec. 117.89), Albania (rec. 117.103), China (rec. 117.107), Nigeria (117.108), the former Yugoslav Republic of Macedonia (rec. 117.115), Austria (rec. 117.116), Nigeria (rec. 118.33), Germany (rec. 118.38), Colombia (rec. 118.47), Mexico (rec. 118.48), Armenia (rec. 118.49), Turkey (rec. 118.51), Norway (117.23); Columbia (118.47).

Noted: Armenia (rec. 118.50), Turkey (rec. 118.52), Russian Federation (recs. 119.4.,119.5. and 119.7.)

<sup>iii</sup> Accepted: Republic of Korea (rec 118.36); Canada (rec 117.48); Nigeria (117.43); France (rec 117.44); Philippines (rec 117.92); China (rec 117.93); Costa Rica (117.144); Ghana (rec 117.91); Armenia (rec 118.35); Botswana (rec 117.94); Paraguay (rec 117.87); Italy (rec 118.34); Netherlands (rec 117.33); Mexico (rec 118.48); Djibouti (rec 118.3); Noted: Russian Federation (rec 119.6).

<sup>iv</sup> Accepted: Lithuania (Rec: 116.20.); Ukraine (rec: 116.21); Republic of Moldova (116.22);

<sup>v</sup> The State strategy and action plan comprises four pillars: equal participation in civil and political lives; equal social and economic conditions; access to quality education and improvement of state language knowledge; maintenance of minority culture.

<sup>vi</sup> State Minister Office for Reconciliation and Civic Equality

<sup>vii</sup> Human Rights Committee, general comment No. 25, para. 5. see also UN OHCHR report, A/HRC/30/26, 2015, para 9.

<sup>viii</sup> Institute of Social Studies and Analysis (ISSA), Ethnic Minority Representation in Political lives, 2019, pg. 77.

- <sup>ix</sup> CoE Advisory Committee, Third Advisory opinion on Georgia, 2019, para 20, available at: <https://rm.coe.int/3rd-op-georgia-en/1680969b56>
- <sup>x</sup> CSEM, Competing for Votes of Ethnic Minorities in Georgia: 2017, pg. 9: available at: [http://csem.ge/wp-content/uploads/2018/06/Competing-for-Votes-of-Ethnic-Minorities\\_Eng.pdf?fbclid=IwAR2Ure\\_fskA2Xl\\_ff-bqDy69I3UNqJ39sKZv0yVectuktuFsu1lgSMAfMM;](http://csem.ge/wp-content/uploads/2018/06/Competing-for-Votes-of-Ethnic-Minorities_Eng.pdf?fbclid=IwAR2Ure_fskA2Xl_ff-bqDy69I3UNqJ39sKZv0yVectuktuFsu1lgSMAfMM;)
- <sup>xi</sup> Institute of Social Studies and Analysis (ISSA), Ethnic Minority Representation in Political lives, 2019, pg 77.
- <sup>xii</sup> CoE Advisory Committee, Third Opinion on Georgia, para 18.
- <sup>xiii</sup> Highest level of state language knowledge is among ethnic kists-22.11 point out of 25, Ossetians – 21.67, Armenians – 10.56 and Azerbaijanis 9.67.
- <sup>xiv</sup> ISSA report 2019, pg. 42 (54% is shared among ethnic minority groups followingly: 21% ethnic Qists, 19.7% Ossetians, 10.3% Urban minorities, 3.1% Armenians, 0.2% Azerbaijanis), As defined in UN OHCHR report: Exercise of the right to participation further depends on transparency and on access to complete information. The right to information is best guaranteed when it is made available in a manner accessible to the most disadvantaged, taking into account the constraints they suffer, including illiteracy, language barriers and the “digital divide”. In Argentina, indigenous peoples have dedicated radio and television stations, which broadcast information in their languages.
- <sup>xv</sup> Public organizations [urge](#) Government and Media to consider ethnic minority languages in their information policies.
- <sup>xvi</sup> One person in every three Covid infected in Georgia is from Kvemo Kartli. <https://www.radiotavisupleba.ge/a/30673976.html?fbclid=IwAR11E1VnGqNZIYOM5NONT-MFWX98WUe3JLBlkstuLstHTH2XPwtPp-OpA>
- <sup>xvii</sup> This is a special university program for ethnic minorities which enables them to study Georgian language for one year and then commence 4-years bachelor studies, Minority students are able to take university exams in their native language and they are not required to know state language, which is a special simplified university entrance exam for minorities.
- <sup>xviii</sup> EMC, Assessment of Marneuli Culture Center activities, 2019, at: <https://emc.org.ge/ka/products/marneulis-kulturis-tsentr-is-politikis-shefaseba>
- <sup>xix</sup> <https://www.mes.gov.ge/content.php?id=110&lang=geo>
- <sup>xx</sup> According to the 2017 survey of the Georgian population by the Caucasus Barometer, it turns out that 42% of the population has only complete secondary or lower level of education, 25.4% - secondary vocational education, and 32.6% - higher than secondary education. Considering the noted, the level of education among ethnic minorities is significantly lower: 65.9% of the representatives of ethnic minorities have secondary or lower level of education which exceeds the indicator for the population of Georgia, whereas only 22.9% have higher than secondary education and 11% -secondary vocational, which are lower than the indicator for the total population.
- <sup>xxi</sup> <https://edu.aris.ge/news/saatestato-da-erovnul-gamocdebze-araqartulenovani-moswavleebis-chachris-ricxvi-magalia.html>; Tabatadze and Gorgadze, Research on one-year language preparation program, 2016, available at: <https://www.cciir.ge/images/pdf/CCIIR%20research%20document.pdf>; see pg. 28: the percentage of school exam fails in the regions: highest numbers in the regions where minorities live (the results of non-Georgian schools): Samtskhe Javakheti (38,6%) and Kvemo Kartli (47.4%), comparing to the lowest number in Tbilisi 9.6%.
- <sup>xxii</sup> CCIR, Policy Paper on Equal opportunities of minority school teachers, 2015. pg. 8-9-available at: [https://cciir.ge/images/pdf/axali%20dokumenti.pdf?fbclid=IwAR2LclCChCYpTV3oYgQO6Xclj1MPkQtRSH7ySsUH96cv8dji\\_g6sVLLXmr4](https://cciir.ge/images/pdf/axali%20dokumenti.pdf?fbclid=IwAR2LclCChCYpTV3oYgQO6Xclj1MPkQtRSH7ySsUH96cv8dji_g6sVLLXmr4)
- <sup>xxiii</sup> In Kvemo Kartli and Samtskhe Javakheti, there is a high rate of school drop-out compared to other regions of Georgia. According to the Education Management Information System (EMIS) data, 20% of school students in Kvemo Kartli dropped out of school in 2015-2016 due to migration and the share of such pupils in Samtskhe-Javakheti is 34%. The school drop-out in the Kvemo Kartli region is mostly due to work (18%), while this number in Samtskhe-Javakheti is 7%.
- <sup>xxiv</sup> Civil Education Institute, Ethnic minority students’ educational needs, Research and Policy Document, 2017, pg 14.
- <sup>xxv</sup> Public Defender’s 2018 report, pg 137-138. The report indicates that number of early marriages in 2017 was 835, The number of registered minor mothers in 2018 was 715 and minor fathers 23.
- <sup>xxvi</sup> CCIR The research on effectiveness of Georgian Language Preparation program, 2016, at: <https://www.cciir.ge/images/pdf/CCIIR%20research%20document.pdf>, e.g. in [Tbilisi State University only 23 students \(14%\) out of 156 students graduated the university in 2015](#)
- <sup>xxvii</sup> See EMC research on the formation of the Pankisi Gorge as the political epicenter in the context of historical circumstances, power configurations, and dominant discourses - “Under the Security Gaze: History, Politics, and Religion in the Pankisi Gorge”, available at <https://emc.org.ge/en/products/usaftrtkhoebis-mzeris-kvesh-istoria-politika-da-religia-pankisis-kheobashi>
- <sup>xxviii</sup> EMC Critical Assessment of Investigation Proceedings Against Temirlan Machalikashvili, available at: <https://emc.org.ge/en/products/temirlan-machalikashvilis-tsinaaaghmdeg-mimdinare-gamodziebis-kritikuli-shefaseba>
- <sup>xxix</sup> Human Rights Organization's response to the use of police forces in Pankisi Gorge: <https://emc.org.ge/en/products/adamianis-uflebebe-momushave-organizatsiebi-ekhmianebian-pankisis-kheobashi-sapolitsio-dzalis-gamoqenebas>
- <sup>xxx</sup> Overview of the flaws of the ongoing investigation of the death of Temirlan Machalikashvili: <https://emc.org.ge/en/products/emc-temirlan-machalikashvilis-sitsotskhlis-khelqofis-sakmeze-samartlebrivi-shefasebit-damotkhovnebit-sakhelmtsifo-utsqebeks-mimartavs>; EMC assesses the restricted materials containing state secrets in Machalikashvili’s case: <https://emc.org.ge/en/products/emc-machalikashvilis-sakmeze-sakhelmtsifo-saidumloebis-shemtsvel-masalebs-afasebs>; CoE Advisory Committee recommendation within the 3<sup>rd</sup> cycle of reporting, 2019, para 136:

“136. The Advisory Committee calls on the authorities to formalize and make compulsory the consultation of the Council of National Minorities and the Council of Religions on matters of potential concerns for the persons and communities they represent. In this regard, it specifically calls on the authorities to effectively consult representatives of national minorities before designing and launching important infrastructural projects that may affect them.”

<sup>xxxix</sup> EMC asks to find intolerance motives in Saparov case. <https://emc.org.ge/ka/products/emc-vitali-safarovis-sakmeze-sheutsgnareblobis-motivis-gamokvetas-itkhovs>; Assessment of Saparov Case, Human Rights Center, 2019, available at: <http://www.hridc.org/admin/editor/uploads/files/pdf/hrc2019/%E1%83%A1%E1%83%90%E1%83%A4%E1%83%90%E1%83%A0%E1%83%9D%E1%83%95%E1%83%98%E1%83%A1%E1%83%A1%E1%83%90%E1%83%A5%E1%83%9B%E1%83%94-eng.pdf>

<sup>xxxix</sup> It is noteworthy that, the lockdown of Kvemo Kartli Region where ethnic minorities reside indicated to the systemic gaps in terms of lack of state language knowledge and lack of proper information policies in this region. In particular, prior to the lockdown state did not take into consideration its minority population while spreading information on Covid-19 outbreak, the minority communities did not take the situation respectively as they were not adequately informed. The statistics of infected people also indicate to this, [1/3 of infected people in Georgia were from minority region](#).

<sup>xxxix</sup> EMC assesses Mirtagi Asadov interrogation process and its legal and social context, available at: <https://emc.org.ge/en/products/emc-mirtagi-asadovis-gamokitkhvis-protsess-da-mis-samartlebriv-da-sotsialur-konteksts-afasebs>

<sup>xxxix</sup> See further details of State Security Service measures in the following assessment: EMC responds to the ongoing investigation at State Security Service and examination of Tamta Mikeladze: <https://emc.org.ge/en/products/emc-sus-shi-mimdinare-gamodziebasa-da-tamta-mikeladzis-gamokitkhvis-protsess-ekhmianebs>

<sup>xxxix</sup> ISSA Report 2019, pg. 31. The percentage of the respondents with the average monthly income up to 200 GEL is the highest in the Qist community. Furthermore, 28.7% of the respondents are not economically active and 23.7% of them are unemployed – a figure higher than the percentage of the unemployed population in Georgia (13.7%).

<sup>xxxix</sup> EMC is responding to the social crisis in Marneuli and Bolnisi: <https://emc.org.ge/en/products/emc-marneulsa-dabolnisshi-shekmnil-sotsialuri-kriziss-ekhmianebs>

<sup>xxxix</sup> EMC assess problems and challenges in Bolnisi Municipality, 2019, at: <https://emc.org.ge/ka/products/bolnisismunitsipalitetshi-ardebuli-problemebis-dagamotsvevebis-shefasebis-zogadi-dokumenti>; EMC, the market of workers, 2019, at: <https://emc.org.ge/ka/products/mushebis-bazroba>; EMC, Recommendations and policy paper for Marneuli Municipality, at <https://emc.org.ge/ka/products/emc-s-rekomendatsiebis-dakhedvebis-dokumenti>

<sup>xxxix</sup> News on the increasing migration from Pankisi Gorge: <https://reginfo.ge/people/item/5086-pankisis-xeobas-mosaxleoba-masobrivad-tovebs>

<sup>xxxix</sup> <https://www.geostat.ge/ka/modules/categories/55/sotsialuri-uzrunvelqofa>

<sup>xl</sup> EMC is responding to the social crisis in Marneuli and Bolnisi: <https://emc.org.ge/en/products/emc-marneulsa-dabolnisshi-shekmnil-sotsialuri-kriziss-ekhmianebs>

<sup>xli</sup> Human Rights Center Report, “Zone of Barbed Wires – Mass Human Rights Violations along the Dividing Line of Abkhazia and South Ossetia”, pages 37-40. Report available at: <http://hridc.org/admin/editor/uploads/files/pdf/hrc2018/Zone%20of%20Barbed%20Wires-Report%20-eng%202019.pdf>

<sup>xlii</sup> Report of the United Nations High Commissioner for Human Rights on Cooperation with Georgia, pg. 32-41, Report available at: [https://www.ecoi.net/en/file/local/1443533/1930\\_1537260340\\_g1824969.pdf](https://www.ecoi.net/en/file/local/1443533/1930_1537260340_g1824969.pdf); See also US State Department report 2019, pg. 25. <https://ge.usembassy.gov/wp-content/uploads/sites/165/GEORGIA-2019-HUMAN-RIGHTS-REPORT-2-1.pdf>

<sup>xliii</sup> “Zone of Barbed Wires – Mass Human Rights Violations along the Dividing Line of Abkhazia and South Ossetia”, pages 6-7. Report available at: <http://hridc.org/admin/editor/uploads/files/pdf/hrc2018/Zone%20of%20Barbed%20Wires-Report%20-eng%202019.pdf>

<sup>xliii</sup> See US State Department Human Rights Report Georgia, 2019, pg. 25.

<sup>xliii</sup> pg. 4, *ibid*

<sup>xliii</sup> “Behind Barbed Wires – Human Rights Toll of Borderization in Georgia, pg. 22. Report available at:

<https://www.amnestyusa.org/wp-content/uploads/2019/07/Behind-Barbed-Wire.pdf>

<sup>xliii</sup> *Ibid*.

<sup>xliii</sup> EUMM, Press Release, 46<sup>th</sup> IPRM Meeting Takes Place in Gali:

[https://eumm.eu/en/press\\_and\\_public\\_information/press\\_releases/5874/](https://eumm.eu/en/press_and_public_information/press_releases/5874/)

<sup>xliii</sup> “Zone of Barbed Wires – Mass Human Rights Violations along the Dividing Line of Abkhazia and South Ossetia”. pg. 5, Report available at:

<http://hridc.org/admin/editor/uploads/files/pdf/hrc2018/Zone%20of%20Barbed%20Wires-Report%20-eng%202019.pdf>

<sup>l</sup> Report of the United Nations High Commissioner for Human Rights on cooperation with Georgia, Paragraph 62, Report available at:

[https://www.ecoi.net/en/file/local/1443533/1930\\_1537260340\\_g1824969.pdf](https://www.ecoi.net/en/file/local/1443533/1930_1537260340_g1824969.pdf); Page 24, “Behind Barbed Wires – Human Rights Toll of Borderization in Georgia. Report available at:

<https://www.amnestyusa.org/wp-content/uploads/2019/07/Behind-Barbed-Wire.pdf>

- li “Behind Barbed Wires – Human Rights Toll of Borderization in Georgia, pg. 34. Report available at: <http://hrdc.org/admin/editor/uploads/files/pdf/hrcprep2018/Zone%20of%20Barbed%20Wires-Report%20-eng%202019.pdf>; Reconciliation Minister on Children’s Rights in Abkhazia, Tskhinvali, available at <https://civil.ge/archives/262839>
- lii Occupied Tskhinvali makes Russian and Ossetian languages mandatory for kindergarten teachers, at <https://www.agenda.ge/en/news/2018/1262>;
- liii See State department report; See also EMC Assessment of Akhagori activist Tamar Mearakishvili repression and persecution case <https://emc.org.ge/en/products/emc-akhagoreli-aktivistis-tamar-mearaqishvilis-tsinaagmdeg-devnisa-da-shevitsroebis-sakmes-afasebs>
- liv DRI: Restricting the media to access the villages near the occupied territories is unjustified, <http://www.democracyresearch.org/eng/255>; TV Pirveli , "Tighter control at the occupation line", 05.03.2020, available at: <http://bit.do/fvgJo>, Shida Kartli Information Centre, “The police moved the post to Meghvrekisi against the journalists”, 06.02.2020, available at: <http://bit.do/fx5zt>, “Locked conflict zone”, Radio Liberty, 27.01.2020, available at: <http://bit.do/fx5uM>.
- lv STATE OF HUMAN RIGHTS ALONG THE DIVIDING LINES OF ABKHAZIA AND SOUTH OSSETIA, Human Rights Center, 2019, pg 19 <http://www.hrdc.org/admin/editor/uploads/files/pdf/report2020/gamyofi%20xazi-eng.pdf>
- lvi Zone of barbed Wires, Human rights Center, 2019, pg 36. <http://hrdc.org/admin/editor/uploads/files/pdf/hrcprep2018/Zone%20of%20Barbed%20Wires-Report%20-eng%202019.pdf>
- lvii Address of Civil Society Organizations and Lawyers on Limitation of Freedom of Religion in Draft Amendments to the Constitution of Georgia, available at: <http://tdi.ge/en/statement/address-civil-society-organizations-and-lawyers-limitation-freedom-religion-draft>
- lviii EMC: According to the Forest Code, it will be unconstitutional to transfer forest resources to the church only: <https://emc.org.ge/en/products/emc-tqis-kodeksit-mkholod-eklesiistvis-tqis-resursebis-gadatsema-arakonstitutsiuri-ikneba>
- lix Freedom of Religion – Critique of Discriminatory and Non-secular state policy, Part 2, EMC, 2016, available at: <https://emc.org.ge/en/products/kvleva-religiis-tavisufleba-sakhelmtsifos-diskriminatsiuli-da-arasekularuli-politikis-kritika>
- lx ibid.
- lxi ibid.
- lxii Assessment of the Needs of Religious Organizations in Georgia, TDI, 2014, available at: [https://tdi.ge/sites/default/files/assessment\\_of\\_the\\_needs\\_of\\_religious\\_organizations\\_in\\_georgia\\_tdi.pdf](https://tdi.ge/sites/default/files/assessment_of_the_needs_of_religious_organizations_in_georgia_tdi.pdf)
- lxiii STUDY OF RELIGIOUS DISCRIMINATION AND CONSTITUTIONAL SECULARISM IN GEORGIA, Part 3, TDI, 2014, available at: [https://tdi.ge/sites/default/files/study\\_of\\_religious\\_discrimination\\_and\\_constitutional\\_secularism\\_tdi.pdf](https://tdi.ge/sites/default/files/study_of_religious_discrimination_and_constitutional_secularism_tdi.pdf)
- lxiv Protection of Religious Minorities - Report on the monitoring of the implementation of human rights strategies and action plans for 2016-2017, EMC, available at: <https://emc.org.ge/en/products/religiuri-umtsiresobebis-datsva-adamianis-uflebata-datsvis-strategiebisa-da-samokmedo-gegmebis-shesrulebis-monitoringis-angarishi>
- lxv Assessment of the Needs of Religious Organizations in Georgia, TDI, 2014, available at: [https://tdi.ge/sites/default/files/assessment\\_of\\_the\\_needs\\_of\\_religious\\_organizations\\_in\\_georgia\\_tdi.pdf](https://tdi.ge/sites/default/files/assessment_of_the_needs_of_religious_organizations_in_georgia_tdi.pdf)
- lxvi See above, See Also US State Department 2019 Report on International Freedom of Religion, pg. 8.
- lxvii EMC: According to the Forest Code, it will be unconstitutional to transfer forest resources to the church only <https://emc.org.ge/en/products/emc-tqis-kodeksit-mkholod-eklesiistvis-tqis-resursebis-gadatsema-arakonstitutsiuri-ikneba>
- lxviii The religious conflicts occurred in these regions: Nigvziani(2012), Tsintskaro (2012), Samtatskharo (2013), Tchela (2013), Mokhe (2014), Kobuleti (2014), Adigheni (2016).
- lxix This case is submitted to ECHR (information is available at: <https://emc.org.ge/en/products/emc-mokhis-sakmestan-dakavshirebit-adamianis-uflebata-evropul-sasamartlos-mimartavs>).
- lxx Case is submitted before the Human rights Committee of UN (information available at: <https://emc.org.ge/en/products/mokhis-istoriuli-mechetis-sakmeze-emc-im-gaeros-adamianis-uflebata-komitetsi-sachivari-tsaradgina> ), see also EMC’s assessment on the case available at: <https://emc.org.ge/en/products/emc-mokhis-komisiis-saboloo-gadatsqvetilebas-afasebs>
- lxxi EMC and TDI: statement on the case of arbitrary transfer of the historical Armenian Church to the Georgian Patriarchate, available at: <https://emc.org.ge/en/products/emc-da-tdi-sapatriarkostvis-tandoiantsis-eklesiis-tvitnebuli-gadatsemis-sakmeze>
- lxxii EMC assessment of the refusal of the City Hall of Batumi for the construction of a new mosque, available at: <https://emc.org.ge/en/products/emc-is-shefaseba-batumshi-akhali-mechetis-msheneblobaze-meriis-uartan-dakavshirebit>
- lxxiii Press release prepared by EMC, available at: <https://emc.org.ge/en/products/batumshi-akhali-mechetis-msheneblobis-sasamartlo-gadatsqvetileba-batumis-meriam-gaasachivra>
- lxxiv Freedom of Religion – Critique of Discriminatory and Nonsecular state policy, Part 3, EMC, 2016, available at: <https://emc.org.ge/en/products/kvleva-religiis-tavisufleba-sakhelmtsifos-diskriminatsiuli-da-arasekularuli-politikis-kritika>
- lxxv Recommendations prepared by the religion council, operating under the umbrella of Public defender, 2017, available at: [http://tolerantoba.ge/index.php?id=1281619909&sub\\_id=1359539573](http://tolerantoba.ge/index.php?id=1281619909&sub_id=1359539573)
- lxxvi The assessment of the Strategy for the Development of Religious Policy of the State of Georgia, available at: <https://emc.org.ge/en/products/sakartvelos-sakhelmtsifos-religiuri-politikis-ganvitarebis-strategiis-shefaseba>



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<sup>lxxvii</sup> Committee of Ministers, decision CM/Del/Dec(2019)1355/H46-8, 25 September 2019, para. 10

<sup>lxxviii</sup> Article - Elections in the Administration of All Muslims of Georgia, 2019, available at: <https://emc.org.ge/en/products/archevnebi-sruliad-sakartvelos-muslimta-sammartveloshi>

<sup>lxxix</sup> Freedom of Religion – Critique of Discriminatory and Non-secular state policy, Part 4, EMC, 2016, available at: <https://emc.org.ge/en/products/kvleva-religiis-tavisufleba-sakhelmtsifos-diskriminatsiuli-da-arasekularuli-politikis-kritika>

<sup>lxxx</sup> Freedom of Religion – Critique of Discriminatory and Non-secular state policy, Part 5, EMC, 2016, available at: <https://emc.org.ge/en/products/kvleva-religiis-tavisufleba-sakhelmtsifos-diskriminatsiuli-da-arasekularuli-politikis-kritika>

<sup>lxxxi</sup> Religion in public schools , EMC, 2015, available at: <https://emc.org.ge/en/products/religia-sajaro-skolebshi> also, Religious and Ethnic Diversity in School Textbooks of Georgian Literature, History and Civic Education(9th -12th Grades), TDI, 2016, available at: [https://tdi.ge/sites/default/files/analysis\\_of\\_textbooks\\_tdi\\_eng.pdf](https://tdi.ge/sites/default/files/analysis_of_textbooks_tdi_eng.pdf)

<sup>lxxxii</sup> Press release - EMC reacts on the case of religious indoctrination in public schools in the Highlands of Adjara, 2019, available at: <https://emc.org.ge/en/products/emc-maghamltian-acharashi-sajaro-skolebis-religiuri-indoktrinatsiis-fakts-ekhmianeba>