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## Georgia

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

### **International Religious Freedom Report 2010**

**November 17, 2010**

The constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion.

The government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the government during the reporting period. As in the previous reporting period, the government's focus largely concentrated on national security challenges, and the implementation of policies relating to religious freedom slowed.

There were continued reports of societal abuses or discrimination based on religious affiliation, belief, or practice. There were reports of incidents of harassment in Tbilisi and the regions outside of Tbilisi involving local citizens, government officials, and Orthodox provocateurs. The Public Defender's Office (PDO) human rights ombudsman reported several cases of harassment during the reporting period. Systemic problems remained largely unchanged, such as the return of church property, legal registration of denominations, unequal legal frameworks, and negative media coverage of non-Orthodox religious groups. However, the PDO marked International Tolerance Day for the first time, and the public defender acknowledged the efforts of leading civil society activists and organizations awarded as "Advocates of Tolerance." Additionally, the president and the minister of reintegration attended the opening of a new synagogue in Tbilisi, and a church in Rabati, in the Akhaltsikhe district, was returned to the Roman Catholic Church in December 2009.

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights. The U.S. embassy funded several projects to foster religious tolerance, which included exchange programs for civil society representatives working in the field of tolerance. Embassy representatives frequently met with religious and nongovernmental organization (NGO) leaders to promote religious freedom.

#### Section I. Religious Demography

The country has an area of 25,900 square miles and a population of 4.6 million, including the separatist regions of Abkhazia and South Ossetia. De facto authorities in the separatist regions of Abkhazia and South Ossetia, supported by several thousand occupying Russian troops, remained outside the control of the central government. There are strong correlations between ethnic groups and religious affiliation, as well as geographic area.

Most ethnic Georgians (84 percent of the population, according to the 2002 census) associate with the Georgian Orthodox Church (GOC). Orthodox Christians who are not Georgian accept the territorial jurisdiction of the GOC and generally use the primary language of their communicants (for example, Russian, Armenian, or Greek). There remain a small number of mostly ethnic Russian adherents of three dissident Orthodox schools: the Molokani, Staroveriy (Old Believers), and Dukhoboriy (Spirit Wrestlers). Also present are radical Georgian Orthodox groups, such as, Society of Saint David the Builder, Union of Orthodox Parents, and People's Orthodox Christian Movement, a new group formed during the reporting period. According to the patriarchy, these groups are in no way associated with the GOC.

The Armenian Apostolic Church (AAC), the Roman Catholic Church (RCC), Judaism, and Islam have coexisted with Georgian Orthodoxy for centuries. Azeris constitute the second largest ethnic group (approximately 285,000, or 7 percent of the population) and are largely Muslim; most live in the southeastern region of Kvemo-Kartli, where they constitute a majority. Other Muslim groups include the ethnic Georgian Muslims of Ajara and Chechen Kists in the northeastern region, bringing Muslims to 10 percent of the population. Armenians are the third largest ethnic group (estimated at 249,000, or 6 percent of the population) and belong predominantly to the AAC; they constitute the majority of the population in the southern Samtskhe-Javakheti region.

There are an estimated 35,000 Catholics, largely ethnic Georgians or Assyrians, and 18,000 Kurdish Yezidis. The ethnic Greek Orthodox community numbers 15,000. There are an estimated 10,000 Jews.

Protestant and other nontraditional denominations such as Baptists, Jehovah's Witnesses, Pentecostals, and Krishnas have become more active and prominent. Each of these groups represents less than 1 percent of the population.

## Section II. Status of Government Respect for Freedom of Religion

### Legal/Policy Framework

The constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion. The constitution recognizes the special role of the GOC in the country's history but also stipulates the independence of church from state. A 2002 concordat between the government and the GOC conveys unique status upon the GOC; the government does not have a concordat signed with any other religious group.

The criminal code specifically prohibits interference with worship services, persecution of a person based on religious faith or belief, and interference with the establishment of a religious organization. Violations of these prohibitions are punishable by a fine and/or imprisonment; violations committed by a public officer or official are considered abuses of power and are punishable by higher fines and/or longer terms of imprisonment.

The Human Rights Protection Unit in the legal department of the Prosecutor General's Office (PGO) is charged with protecting human rights, including religious freedom. The PDO also monitors complaints of restrictions on religious freedom. The Ministry of Internal Affairs and the PGO remained active in the protection of religious freedom. However, minority religious groups, such as the Jehovah's Witnesses, expressed some dissatisfaction with the lack of investigative follow-up in some cases.

The government observes the following religious holidays as national holidays: Orthodox Christmas, Epiphany, Good Friday, Orthodox Easter, Easter Monday, the Day of Apostle Andrew, the Day of the Virgin Mary, Svetitskhovloba, and Saint George's Day. The president declared Nowruz-Bairam, celebrated by the ethnic Azeri Muslim population, a national holiday on March 21, 2010.

Under a 2006 law, religious groups other than the GOC may register with the government as a noncommercial entity of private law (in one of several forms such as a union or a foundation) to receive legal status and tax benefits. A union was

based on membership (a minimum of five members was required), while a foundation involved one or more founders establishing a fund for furtherance of a certain cause for the benefit of the particular group or the general public. In all cases registration was a function of the tax department of the Ministry of Finance, which must grant or deny registration within three days of application. A refusal may be appealed in court. There were no reports of any groups being refused registration during the reporting period. Some religious groups expressed dissatisfaction with having to register as such an entity instead of as a religious group to receive legal status and tax benefits.

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The Law on General Education specifies that "pupils, parents, and teachers enjoy freedom of religious belief, denomination, and conscience, according to the rule established by law, and have the right to choose and change any religious denomination at will."

A 2005 law separating state schools and religious teaching narrowed the interpretation of the government concordat with the GOC regarding teaching Orthodoxy as an elective part of the school curriculum. The law states that such Orthodox teaching may take place only after school hours and cannot be controlled by the school or teachers. Outside instructors, including clergy, cannot regularly attend or direct student extracurricular activities or student clubs and their meetings. Lay theologians, rather than priests, led such activities.

The GOC routinely reviewed religious and other textbooks used in schools for consistency with Orthodox beliefs, although this review was not conducted within the government structure but rather as part of the GOC's pastoral activities.

#### Restrictions on Religious Freedom

The government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the government during the reporting period. At the same time, religious groups other than the GOC complained that they did not have equal legal status, were not recognized officially as religions, and did not enjoy the same privileges as the GOC. Minority religious groups also complained that local police did not always respond promptly to their complaints. Police often left investigations of such complaints incomplete.

The 2002 concordat between the GOC and the state defines relations between the two entities. The concordat contains several controversial articles, such as giving the patriarch legal immunity; granting the GOC the exclusive right to staff the military chaplaincy; exempting GOC clergymen from military service; and giving the GOC a unique consultative role in government, especially in the sphere of education. However, many of the controversial articles required parliament to adopt implementing legislation, which was not done by the end of the reporting period. The GOC has a line item in the government budget and received \$13.3 million (25.3 million lari) in 2010.

The Jewish community has been registered as a union for several years, not because it preferred this designation, but because the designation allowed it to repair a synagogue. While the synagogue was not returned to the Jewish community's ownership, the government leased it to the community for the symbolic price of \$0.54 (one lari) per month. The ability to "lease" the property satisfied investors willing to fund the repair work.

The AAC has refused to register as a union or a foundation, which left it without legal identity. The RCC has registered parts of its community in order to have legal control over its properties. This registration arrangement gave it physical control over church buildings and relieved it from the former practice of having to register its religious entities in an individual's name. Nonetheless, the RCC was careful to underline its discontent with the registration options that "deny dignity." Baptists and the Jehovah's Witnesses shared this complaint. The registration options satisfied only the Krishnas because they gave the community of approximately 100 practitioners the ability to repair and control its temple but did not focus additional government attention on its presence.

During the reporting period, the Kobuleti Bible Church "Salvation World" lost access to its church building. The building had been purchased by missionaries in 2005 and registered under an individual's name since the group could not register as a religious organization and buy the property itself. The individual subsequently lost ownership of the property due to a personal accumulation of tax and other debts.

During the reporting period, the RCC-owned Sul Khan-Saba Orbeliani Institute of Philosophy, Theology, Culture, and History received reaccreditation, which had been delayed since its original application in 2007.

Government authorities argued that the registration law provided an adequate balance between the demands of religious minorities and the desire to safeguard the special status of the GOC. The government contended that creating a specific status for religious groups would result in unnecessary controversy between groups over what definition was to be adopted, and that the current registration law effectively leads to equal treatment of religious groups. In the government's view, the registration law was religion-neutral in that its principal concern was only whether an organization is for-profit or not-for-profit. Registered religious groups received substantially the same legal protection of their property rights and tax status as the GOC, although authorities conceded that there may be confusion on the part of potential beneficiaries and government implementers. The GOC argued that only largely symbolic preferences remained, befitting the GOC's status under the concordat, such as exemption from initial payment of the value-added tax (versus paying and receiving reimbursement) and exemption from profit on sales of religious artifacts.

On March 12, 2010, a memorandum was signed between the GOC and the Ministry of Corrections and Legal Assistance (MCLA) wherein the sides agreed to cooperate on assigning socially useful labor as a form of punishment to prisoners, including the implementation of this work in churches and monasteries. No other religious organization had such an agreement with the government. According to the MCLA, the GOC plays a role in selecting prisoners for this alternative punishment program.

According to the MCLA and confirmed by the GOC, the government and the GOC signed an agreement in 2002 requiring representatives from minority religious organizations to seek permission from the GOC before requesting access to a prisoner. According to the MCLA, despite the regulation authorities did not deny any religious representative access to a prisoner. However, representatives from the Baptist and Muslim communities reported having access problems. The RCC found the need to seek GOC permission for access unacceptable. At the end of the reporting period, the MCLA was working with some communities to address these concerns.

During the previous reporting period, there were some complaints in connection with the process of postponement of mandatory military service. An Adventist did not address the relevant agency in a timely manner with a request for substituting mandatory military service with alternative service. As a result he served mandatory military service. On the recommendation of the PDO, the matter was being reviewed. At the end of the reporting period, the public defender's recommendations were under consideration. The Adventist was relieved from his duty on Saturdays because of his religious beliefs.

Except for the GOC, restitution of property confiscated during the communist regime remained a contentious issue. During the reporting period, the government did not return any additional churches, mosques, synagogues, or meeting halls. A church in Rabati, in the Akhaltsikhe region, was returned to the RCC in December 2009. At the end of the reporting period, however, the RCC continued to negotiate the terms of ownership with the government, since the RCC does not have legal status due to the issues regarding recognition as a religious organization. The main mosque and two synagogues in Tbilisi were operated by their respective religious communities but remained state property. However, restoration continued of GOC churches previously returned, in part with government subsidies, on the grounds that the buildings were national cultural heritage sites. The government also provided subsidies for the maintenance and preservation of mosques on

similar grounds. Other minority religious groups claimed that the government did not provide funding on a neutral and equitable basis. The AAC complained that its church in Tbilisi, which AAC leaders said serves 100,000 congregants, had not received funding because the AAC refused to register with the government. The Ministry of Culture stated that it cannot fund a renovation project if the church has no legally registered owner.

RCC and AAC officials believed that property disputes were not resolved in a transparent legal process but rather on a case-by-case basis that distinctly favored GOC claims. They claimed that the government was unwilling to resolve disputes over the ownership of disputed church properties for fear of offending GOC constituents.

The AAC's main concern remained the return of five churches in Tbilisi and one in Akhaltsikhe. However, the status of at least 30 other churches claimed by the AAC remained in dispute. Controversy continued to surround the disposition of the Norashen church, claimed by both the AAC and GOC and closed since 1995.

On November 19, 2009, a disputed church claimed by the AAC collapsed in Tbilisi. The church was reportedly constructed in 1356 but was closed during the Soviet era and used as a warehouse. The church did not reopen after the country's independence, when title to the property passed to the Ministry of Culture. On November 20, 2010, the AAC released a statement accusing the government and the GOC of failing to preserve Armenian holy sites. The Tbilisi municipality began cleaning up the site during the reporting period, but there was no progress made to restore the church.

The RCC, the AAC, and several Protestant denominations continued to have difficulty obtaining permission to construct new churches, due to the reluctance of local authorities to issue building permits that could antagonize local GOC officials.

According to the akhund (spiritual leader) of the Tbilisi mosque Juma, permission to build a community center on private land remained pending with city authorities. Muslims in Ajara also were unsuccessful in regaining ownership of their pre-Soviet era properties. Local officials were unresponsive to repeated requests for the return of the mosques. However, according to a local Muslim leader in Ajara, almost all the mosques were functioning despite lack of ownership by the Muslim community.

Minority religious groups, including Jehovah's Witnesses, continued to report difficulties obtaining permits to build or occupy houses of worship or to regain control of facilities confiscated during the communist era, although the group no longer considered it necessary to hold services in private homes for security reasons.

Jehovah's Witnesses continued to have problems with its construction plans for property bought in Tbilisi. The group filed the necessary documents with the Mayor's Office, but permission was denied. In August 2008 Jehovah's Witnesses filed an appeal against the Tbilisi municipal administration for denying construction permission. In February 2009 the Administrative Court ruled in favor of the group; the defendants appealed that decision. However, the Jehovah's Witnesses later were able to renew construction and had nearly completed the project at the end of the reporting period. Jehovah's Witnesses experienced several other problematic incidents involving building projects.

On several occasions Jehovah's Witnesses attempted to register the purchase of real estate in the name of their legal organization, but these attempts often resulted in either protracted legal battles or losing the selected property to another buyer. Jehovah's Witnesses began the practice of initially registering all real estate bought for the purpose of constructing places for religious gatherings in the name of private individuals and later transferring ownership to the legal organization.

Jehovah's Witnesses reported several problems in the construction of a kingdom hall (place of worship) in Zugdidi, including problems with government construction permits. At the end of the reporting period, the group continued to await a decision from the courts.

Jehovah's Witnesses reported that on July 14, 2009, three members filed a request with the city of Senaki for a permit to occupy a building for religious meetings. City officials refused their request and unofficially informed them that the refusal was due to their religious affiliation. The group filed complaints with the local mayor as well as with the central Prosecutor's Office, the PDO, Ministry of Infrastructure and Development, and Ministry of Justice. The permit was issued on June 6, 2010, 11 months after the request was filed.

Plans to build a Jehovah's Witnesses community center in the Avlabari region of Tbilisi were halted by municipal officials who questioned whether the group legally obtained the property. The courts ruled in favor of the Jehovah's Witnesses, and on June 1, 2010, Tbilisi authorities granted a preliminary construction permit.

Jehovah's Witnesses leaders stated that they continued to be denied access to halls that seated more than 200 persons, and the PGO had not brought charges against any individuals for these denials. The leaders stated they did not plan to press for prosecution but hoped to resolve the issue by receiving permission to build their own large hall. They had not proceeded with this plan but continued to try to rent venues.

The PDO reported continuing problems with teachers reinforcing Orthodox theology through classroom prayer and the display of icons and other religious symbols in schools. The public defender characterized this problem as especially common in Ajara, where Muslim students were frequently the target of religious pressure from Orthodox teachers. The Ministry of Education has a General Inspection Department to deal with complaints of inappropriate teacher behavior, including violations of the religious freedom of students.

In contrast with the previous reporting period, there were no official reports made to the PDO that public school teachers and local Orthodox priests criticized minority religious groups and interfaith marriages or ridiculed Catholic and Protestant students. However, representatives from the non-GOC confessions and the PDO's Tolerance Center continued to believe that such problems persisted despite the lack of official reports.

During the reporting period, the RCC noted that reports persisted that teachers said children who made the sign of the cross in school in the orthodox manner were "making the sign of God," while children who make the sign of the cross in the Roman Catholic manner were "making the sign of the devil." School staff assumed a child was Orthodox Christian unless they were made aware otherwise, which can then be the source of difficulty at school. For this reason Roman Catholics, Baptists, and Krishnas remarked that parents found the school environment better for their children if their household did not announce its religious affiliations in its community.

Community leaders stated that they received no complaints during the reporting period of Jehovah's Witnesses' children being harassed or discriminated against in school by teachers or students.

The occupied territories of Abkhazia and South Ossetia remained outside the control of the central government, and reliable information from those regions was difficult to obtain. A 1995 decree issued by the Abkhaz leader that banned Jehovah's Witnesses in the region remained in effect but was not enforced. The group reported that it continued to hold services in Abkhazia but limited its activities because of the decree.

Baptists, Lutherans, and Roman Catholics reported that they were allowed to operate in Abkhazia, but the GOC reported that it was unable to do so. In 2008 the Russian Holy Synod passed a resolution officially recognizing the GOC's jurisdiction over the dioceses in Abkhazia and South Ossetia. However, on September 16, 2009, the Abkhaz Orthodox Church declared "independence" from the GOC.

In South Ossetia GOC adherents remained unable to hold services in GOC churches located near the ethnic Georgian villages of Nuli, Eredvi, Monasteri, and Gera because these areas were under the control of de facto South Ossetian

authorities. Individuals living outside Abkhazia and South Ossetia faced difficulties crossing the administrative boundaries and, therefore, were limited in their ability to visit the gravesites of family members inside the territories, especially in South Ossetia. The situation improved somewhat over the course of the reporting period, with some visits being allowed, especially on religious holidays.

The Muslim community of Ajara continued to be barred from registration in the territory of the Ajaran Autonomous Republic. Only one Muslim organization of Ajara managed to obtain legal registration by coming to Tbilisi to do so after being refused by local officials.

#### Abuses of Religious Freedom

On November 1, 2009, the government began an investigation into a series of videos posted on Facebook because they insulted the GOC patriarch. Prosecutors detained and released two individuals and seized computer equipment and videos during the investigation. NGOs and civil society representatives criticized the investigation, stating that it restricted free speech. On November 3, 2009, the PDO called on the Ministry of Internal Affairs and the PGO to publically state under which article of the criminal code the investigation had been launched. According to PDO representative, they did not receive a response to their letter of inquiry.

Jehovah's Witnesses reported an incident in Tbilisi on July 17, 2009, of harassment and physical violence against a member of the community allegedly involving a police officer. The individual filed a complaint, and the investigation was pending at the end of the reporting period.

Several cases, already filed with the European Court of Human Rights (ECHR), were delayed in local courts for significant periods. These cases concerned alleged illegal actions, including violent attacks by police officers and other government officials against Jehovah's Witnesses in 2001. However, the Supreme Court ruled that the appeals were inadmissible. Therefore, these cases exhausted all domestic remedies, and updates were being prepared for the ECHR. Jehovah's Witnesses had five cases against the government pending at the ECHR reflecting complaints of violent persecution without subsequent judicial remedies, illegal actions of police officers and other government officials, and liquidation of Jehovah's Witnesses' legal entities.

During the reporting period, the government investigated several cases of interference, threats, intimidation, or violence. The PGO continued to exercise prosecutorial discretion to emphasize cases arising after 2003, in view of its limited investigative and prosecutorial resources. The PGO scheduled investigations prior to 2003 to continue where feasible but gave priority to new cases. Religious minority groups pointed out that this could lead to the eventual elimination of cases that could be investigated under law predating 2003.

There were no reports of religious prisoners in the country.

#### Forced Religious Conversion

There were no reports of forced religious conversion.

#### Improvements and Positive Developments in Respect for Religious Freedom

On March 21, 2010, President Saakashvili visited the predominantly ethnic Azeri and Muslim city of Marneuli in the Kvemo Kartli region to commemorate Nowruz-Bairam, commonly referred to as "Persian New Year," which he declared a national holiday. On December 25, 2009, the president visited a Roman Catholic Church and congratulated the Catholic community on the Christmas holiday. On December 20, 2009, President Saakashvili visited a mosque in Batumi and spoke about the fraternal coexistence between Christians and Muslims in the country. On November 28, 2009, the president celebrated Kurban Bairam, "Greater Eid," with the local Muslim community at the Tbilisi mosque.

On November 16, 2009, the PDO commemorated "International Day of Tolerance." Public Defender Giorgi Tugushi honored several domestic NGOs and individuals with the title of "Advocates for Tolerance" for their contribution toward advancing tolerance. The event included representatives from all the major religious denominations and major ethnic minority groups. Tugushi made it clear that tolerance of minority and religious issues was a priority for his tenure.

On September 15, 2009, the 150-year-old Ashkenazi synagogue, badly damaged in a 1991 earthquake, was reopened in the old district of Tbilisi. The ceremony marking the reopening included President Saakashvili, Vice Speaker of Parliament Gigi Tsereteli, and State Minister for Reintegration Temur Iakobashvili. Addressing the Jewish community inside the new synagogue, Saakashvili underscored the beauty of the old district of Tbilisi, where two synagogues, a mosque, a Georgian Orthodox church, and an Armenian church stand side by side, and where local residents speak Georgian, Yiddish, Armenian, and Azeri languages, living in peace. The event was widely covered in the media.

### Section III. Status of Societal Respect for Religious Freedom

There were continued reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Incidents of harassment were reported in and outside Tbilisi involving local citizens, government officials, and Orthodox provocateurs. During the reporting period, "traditional" minority religious groups, including Catholics, Armenian Apostolic Christians, and Muslims, were victims of harassment. Some members of the GOC and the public remained apprehensive toward "nontraditional" religious minorities, such as Jehovah's Witnesses, Pentecostals, and Baptists. Some persons viewed minority religious groups as a threat to the national church and the country's cultural values.

During the reporting period, several religious minority groups faced harassment and attacks by fundamentalist Georgian Orthodox groups that included laypersons and clergy. Harassment included passing out pamphlets warning parents about pedophilia in the Roman Catholic Church; holding a street protest at the site of a Tbilisi Muslim community center, where local Muslims reported that many of the protesters pushed them and told them to leave the country (they also reported that although police came and calmed the situation, no arrests were made); and staging a large protest at the opening of a new Assyrian cultural facility. The GOC stated that while there were clergy in these groups, the groups were not officially part of the GOC. The head of one of these groups, the Union of Orthodox Parents, reported that his organization never resorted to violence.

On May 7, 2010, a discussion on Kavkasia TV's program *Barieri* (Barrier) between leaders of two fundamentalist Georgian Orthodox groups and supporters grew into a fistfight. Representatives of the fundamentalist groups Union of Orthodox Parents and the Public Orthodox Christian Movement reportedly verbally and physically assaulted some of the program's guests and the station's staff. Police were called to the studio and detained at least eight persons, seven of whom faced charges and were being held in administrative detention at the end of the reporting period.

The head of the Tolerance Center within the PDO, reported that on May 4, 2010, he was hit on the head by a member of a fundamentalist Georgian Orthodox group during a rally in support of the publication of a book critical of the GOC. Reportedly the rally was disrupted by extreme Orthodox Christian groups, some members of which physically assaulted demonstrators. He also reported that police tried to separate the conflicting sides but failed to take appropriate measures, including not making any arrests.

Representatives from the Pentecostal community reported that advertising contracts with some Web sites were cancelled after the Kavkasia TV incident because the companies feared they would become the target of the fundamentalist groups. The representatives also reported that they could not conclude advertising contracts for billboards in subway stations because of similar fears.

Representatives of the Muslim community reported that they believed the permit for construction of their community center was being delayed because of a petition filed with the Tbilisi municipality by the Union of Orthodox Parents.

On December 10, 2009, Ilia State University hosted a conference on Islam. However, the public defender reported that the discussion part of the conference failed due to harassment by some members of the Union of Orthodox Parents.

On October 17, 2009, an Assyrian cultural center was opened in Tbilisi, under the auspices of the Roman Catholic Church. On the day of the opening, the Union of Orthodox Parents temporarily blocked the entrance to the center and displayed anti-Catholic banners. Police were able to unblock the entrance to the church shortly before the opening ceremony began. On October 15 a one-day protest was held in front of the Vatican embassy. The protesters held banners with insulting, xenophobic language. According to the public defender, on October 6 and 7, a group of 80 persons led by the Union of Orthodox Parents marched into the villages of Arali and Vale of the Adigeni district, where the majority of the population is Catholic. The group reportedly distributed brochures containing hate language, claiming that Catholic priests (specific Catholic priests were named) were pedophiles.

On September 16, 2009, representatives from fundamentalist Georgian Orthodox groups prevented repairs on a mosque in a traditionally ethnic-Azeri village. The group members allegedly demanded to see the villagers' construction permit, despite not having the legal right to do so, and threatened the villagers with violence if the construction did not cease. The village community members claimed that they had received permission from local authorities. At the end of the reporting period, the repairs had not been completed, since the question of official permission from the government was not settled. Members of the Orthodox group continued a vigil at the mosque to ensure that villagers did not continue repairs. The head of the Union of Orthodox Parents, one of the groups involved, confirmed that it was participating in the vigil because construction on the mosque without the correct permits is illegal.

A number of religious minorities reported continuing media hostility. Some religious minority leaders noted that the media provided no coverage of their activities.

On March 27, 2010, and on three occasions in 2009, members of Jehovah's Witnesses were harassed and in some cases physically assaulted by nonmembers in the community. In all the cases, the incidents were reported to authorities; investigations were pending at the end of the reporting period.

On March 7, 2010, two inebriated persons attacked a kingdom hall in Tbilisi, throwing stones into the building. A complaint was filed with the Main Prosecutor's Office and the PDO. Another complaint accused previous owners of the land where the hall was built of organizing a demonstration on April 9, 2010, to prohibit Jehovah's Witnesses from using it. Investigations were pending at the end of the reporting period. According to the Jehovah's Witnesses, the case against the inebriated person was closed because the persons could not be found. According to the Ministry of Justice, the case was closed on April 17, 2010, because the damage to the hall was less than \$82 (150 lari) and, under the criminal procedure code, not considered significant enough damage to constitute criminal prosecution. According to the Jehovah's Witnesses, the complaint against the former land owner was closed because it was determined that no criminal offense had been committed.

On December 13, 2009, Jehovah's Witnesses reported that in the city of Martvili, five men beat two members and told them to leave the city. They reported that one of the attackers worked at the Martvili Passport Department of the Ministry of Justice. They alleged that another attacker worked at the city municipality and a third attacker worked at the Martvili District Court. They filed a complaint with the Main Prosecutor's Office. According to the Ministry of Justice, the two members of the Jehovah's Witnesses requested that the Martvili unit of the Ministry of Internal Affairs terminate the

investigation because they were verbally but not physically assaulted. Consequently, on May 4, 2010, the investigation was terminated.

On October 22, 2009, in the Vazisubani district of Tbilisi, two Jehovah's Witnesses were beaten and threatened with a gun. Police took the victims to the police station and initiated a criminal case. Information was also provided to the Main Prosecutor's Office and the public defender. According to the PDO and the Ministry of Justice, investigations were pending at the end of the reporting period. According to the Ministry of Justice, the license plate number identified by witnesses was matched to a car belonging to the Ministry of Internal Affairs that has been inoperable since 2007.

In October 20, 2009, at the kingdom hall construction site in Zugdidi, unidentified individuals destroyed a wire fence and demanded that the Jehovah's Witnesses vacate the property. Although police arrived quickly, they took no action. Later that day a larger mob of approximately 150 individuals insulted community members and spit into a well on the site. Police returned but did not take any action. Later that night approximately 20 persons entered the site and physically assaulted four members. Police arrived but did not take protective measures. Jehovah's Witnesses requested that a criminal case be opened and the deputy chief of police promised to provide protection. On November 17, 2009, work resumed at the site. Police were present and ensured that assailants did not hinder the work.

On October 20, 2009, members of Jehovah's Witnesses were harassed in the village of Gvankiti. Information was provided to the local police, the Main Prosecutor's Office, and the PDO. On May 12, 2010, the Jehovah's Witnesses were informed that the investigation was terminated. Jehovah's Witnesses intended to appeal the decision. According to the Ministry of Justice, the investigation was terminated on October 27, 2009, due to lack of evidence that a crime was committed. According to the ministry, other witnesses interviewed stated that while religious material was destroyed by the accused, no physical assault took place.

On July 3, 2009, in the town of Akhalkalaki, GOC Priest Irakli Khomeriki hit a member of the Jehovah's Witnesses in the face. On July 7, 2009, a complaint was filed with the GPO and the public defender. A criminal case was initiated, and Khomeriki received an official warning.

Jehovah's Witnesses reported that since 2004 they have not been able to rent facilities in Tbilisi to hold large religious gatherings.

In 2009 Jehovah's Witnesses provided a list of 35 incidents involving harassment, all of which were reported to government authorities. The group reported that in only two cases was an individual charged; the rest remained unresolved despite their claim that authorities knew the identity of the harassers. Complaints involved harassment when Jehovah's Witnesses members tried to talk with others about their beliefs; physical damage to meeting places, especially kingdom halls under construction, and to cars associated with the buildings; and physical violence. In addition there were numerous cases of crosses painted on the ends of kingdom halls and buildings and other graffiti.

The GOC continued to complain that the ROC's Moscow Theological Seminary was training Abkhaz priests for service in Abkhazia, the breakaway region. Despite the fact that the ROC recognizes the GOC as a legitimate church in Abkhazia, the GOC patriarchate claimed that the ROC was sending in priests loyal to the ROC patriarchate in Moscow under the pretext of setting up indigenous Abkhaz churches.

The RCC reported that in the southern region of Adigeni, as well as in the city of Akhaltsikhe, Roman Catholics faced a hostile environment.

The PDO reported that it was approached 41 times by religious minorities concerning possible instances of violations of their rights in 2009. Police were quick to respond to incidents of abuse but slower to follow-up crimes they viewed as minor

"hooliganism," defined as actions that violated public order or demonstrated open contempt towards society by using violence or threats of violence.

In the second half of 2009, the public defender reported that the problems remained the same. The process of restitution of the property of religious minorities confiscated during the Soviet period had not been initiated; the tax regime for minority religious groups was different from that of the GOC; the RCC, ACC, and Muslims refused to register by the existing method, since registration as a legal entity rather than a religious organization was viewed as unacceptable; requirements of the Law on General Education at secondary schools were not met; law enforcers did not abide by the law and did not react adequately when a crime was motivated by religious intolerance; priests of other denominations could not access places of detention without permission of the patriarchy; and state-controlled media provided meager, if any, coverage of problems related to religious minorities.

In October 2008 the last of a series of damaging attacks occurred on the Evangelical-Pentecostal prayer house in the town of Vani. After the intervention of the PDO, criminal proceedings were instigated against the police chief. However, in December 2008 the criminal investigation was closed on the grounds of self-defense.

The former mosque located in the village of Mukhaestate in the Kobuleti region was occupied by local police, while another mosque in the town of Kobuleti "hosted" a dancing studio. In the Adigeni district, there were approximately seven mosques built by Meskhetian Muslims that were inactive and were being used by others to keep their cattle. The Muslim population (composed mostly of migrants from Ajara) was not able to reclaim those mosques. Meskhetians who returned to the town of Abastumani also requested return of their mosque.

#### Section IV. U.S. Government Policy

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights. The U.S. embassy engaged with religious communities from all faiths. Embassy officials, including the ambassador, frequently met with representatives of parliament, various religious groups and leaders, and NGOs concerned with religious freedom. The embassy promoted religious freedom and tolerance through the use of public diplomacy, including speeches and press interviews by senior U.S. government officials and embassy representatives.

The embassy also brought concerns directly to the government including the Ministry of Corrections and Legal Assistance regarding access to prisoners by all religious representatives, the Ministry of Education regarding the treatment of religion in schools and curriculum, and the Ministry of Justice regarding the investigation of possible religiously motivated attacks.

On May 8, 2010, the U.S. ambassador made a statement aired by all major news outlets expressing his concerns for the incident at Kavkasia's television studios and the larger implications the event had for freedom of speech, diversity of opinion, thought, and faith.

On May 5, 2010, the ambassador visited the predominantly ethnic Armenian/Armenian Apostolic region of Samtskhe-Javakheti, where he met with NGO representatives focused on religious freedom and tolerance. He also met with the head of the AAC in the predominantly ethnic Armenian city of Akhalkalaki. Embassy officials regularly traveled to the region and met with local government officials and civil society representatives to discuss religious freedom. Embassy officials visited several churches disputed by the GOC and AAC, highlighting the importance of maintenance of these churches while ownership problems were resolved.

On April 27, 2010, the ambassador visited the predominantly Muslim/ethnic Azeri region of Kvemo Kartli and a mosque in the city of Marneuli. Embassy officials regularly met with the akhund, the religious leader of most Muslims in the country, at the mosque in Tbilisi. Embassy officials attended Eid celebrations in the village in the Bolnisi district, where controversy surrounded the reconstruction of a mosque on September 20, 2009. Embassy officials met with members of the Muslim

community in Tbilisi who were attempting to build a community center and visited the proposed building site on December 10, 2009.

On December 10, 2009, in honor of the 2009 Human Rights Day, the ambassador hosted an event at his residence to facilitate a discussion among leaders from minority religious communities and the GOC. The event included leaders from civil society working in the field of religious tolerance as well as the government's Human Rights Public Defender.

In December 2009 the ambassador met with the GOC patriarch. Embassy officials also met with the leader of the fundamental Georgian Orthodox group Union of Orthodox Parents to discuss the group's ideology, methods, and concerns. Embassy officials regularly met with officials from minority Christian communities and visited their community centers and churches including the Baptists, Jehovah's Witnesses, Roman Catholics, and Pentecostals.

Embassy officials promoted dialogue between the government and ethnic and religious minority communities and their integration into society. To support the development of civil society within ethnic and religious minority regions, the embassy worked with NGOs to organize capacity building seminars, social outreach programs, networking opportunities with domestic and international NGOs, and tolerance in school projects. The embassy provided small grants to local NGOs working on minority issues and monitoring the government's implementation of the National Integration and Tolerance program.

Embassy officials attended the opening of the new synagogue in Tbilisi and regularly met with leaders from the Jewish community, including the chief rabbi. On October 20, 2009, visitors from the U.S. State Department visited Tbilisi's Hebrew school and attended a performance by the students.

The embassy funded several projects to foster religious tolerance, including research grants, visitor program presentations, and speaker program sponsorships. From March 29 to April 17, 2010, through an International Visitor Leadership Program, leaders from ethnic and religious minority communities travelled to the United States specifically to focus on minority and tolerance issues. The U.S. government continued to fund a four-year, \$2.7 million (4.9 million lari) project to promote an increased sense of national unity among citizens through support to the government in forming its national integration strategy and action plan, of which promoting interfaith tolerance was an important component. The project provided technical assistance, diversity training, and small grants to local NGOs, and also supported a weekly show on public television dedicated to integration and tolerance issues, on which prominent religious leaders were featured.

The Democracy Working Group, which is part of a larger bilateral commission, helped identify problems for discussion as well as areas of cooperation and thereby encourages and measured progress in areas such as religious freedom. The group met in November 2009.

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