

# GEORGIA 2021 INTERNATIONAL RELIGIOUS FREEDOM REPORT

## Executive Summary

The constitution prohibits religious persecution and recognizes equality for all regardless of religion, subject to considerations of public safety or health or the rights of others. It stipulates the independence of the Georgian Orthodox Church (GOC) and recognizes the GOC's "outstanding role" in the country's history. Laws and policies grant the GOC unique privileges. In September, documents published on the internet and widely covered in the media appeared to show widespread surveillance by the State Security Service of religious leaders and others and their conversations with political officials, journalists, foreign diplomats, and others. The government denied the legitimacy of the documents, while some religious leaders, journalists, and others affirmed them and said the surveillance had a chilling effect on religious freedom, as it confirmed their suspicion that the State Security Service was monitoring the activity of religious groups. Nongovernmental organizations (NGOs) criticized the government's policy of granting blanket COVID-19 curfew exceptions for GOC holidays during the national lockdown from November 2020 to June 30, 2021, while requiring specific applications from all other groups seeking to celebrate religious holidays. The government approved the registration of the Jehovah's Witnesses Christian Organization in Georgia as a legal entity under public law during the year; it previously was registered as a noncommercial entity. The government rejected the applications of six other Christian groups to be registered as legal entities under public law. The NGO Tolerance and Diversity Institute (TDI) again stated that prosecutors continued to fail to indict individuals for religiously motivated crimes. Parliament again failed to comply with a court order to end exclusive tax and property privileges granted to the GOC, or to extend those benefits to other religious groups. Some Muslim community leaders and NGOs said the government continued to influence and favor the state-funded religious group All Muslims of All Georgia (AMAG). The Armenian Apostolic, Evangelical Lutheran, and Roman Catholic Churches and some Muslim groups again reported difficulties in obtaining government recognition of their ownership of religious properties. Muslims again cited a lack of government transparency in decisions on mosque construction. On December 28, the Constitutional Court agreed to hear a case brought by TDI challenging the constitutionality of the law prohibiting religious organizations, other than the GOC, which has this right under its concordat with the state, from regaining legal ownership of religious buildings and other property confiscated during the Soviet regime and currently under state ownership.

Religious leaders again stated de facto authorities in the Russia-occupied Georgian regions of Abkhazia and South Ossetia, which remained outside the administrative control of the central government, restricted some religious groups. Both regions continued to ban Jehovah's Witnesses, although the think tank Democracy Research Institute (DRI) reported Jehovah's Witnesses and Pentecostals could assemble freely in Akhagori, South Ossetia. The GOC and Russian Orthodox Church (ROC) recognized Orthodox churches in both regions as belonging to the GOC, but GOC officials said de facto authorities in South Ossetia pressured Orthodox churches to merge with the ROC, while some religious figures in Abkhazia continued to support turning the region's Orthodox churches into an autocephalous Abkhaz Orthodox Church. Sources stated the ROC tacitly supported the autocephalic ambitions of breakaway churches without seeking formal recognition of their autocephaly from the GOC. De facto authorities in South Ossetia declared GOC religious services illegal but permitted them in practice; in Abkhazia, de facto authorities prohibited GOC clergy from entering the region. A report by DRI stated ethnically Georgian worshipers in Abkhazia who identified with the GOC experienced discrimination, while ethnic Abkhaz Muslims did not. GOC worshipers in Abkhazia were unable to travel to Tbilisi-administered territory to celebrate Orthodox Christmas or Orthodox Easter due to the closure of the Enguri crossing point from February 2020 to July 2021 because of the COVID-19 pandemic. Following the lifting of coronavirus restrictions, de facto authorities in Abkhazia and South Ossetia continued to restrict movement across the division line with the rest of Georgia. Georgia's State Agency for Religious Affairs (SARI) reported only five GOC clergy and one church remained operational in South Ossetia.

During the year, the Human Rights Department of the Ministry of Internal Affairs (MOIA) investigated 13 cases involving crimes reported as religiously motivated, compared with 22 cases in 2020. The cases involved violence, including domestic violence, persecution, threats, and damage or destruction of property. The Public Defender's Office received six complaints of religiously based crimes or discrimination, compared with seven complaints in 2020. The Prosecutor General's Office prosecuted five individuals for crimes motivated by religious intolerance, including one involving rape, and all cases were pending at year's end. In September, the Tbilisi City Court convicted a man of raping a woman because she was a Jehovah's Witness. Jehovah's Witnesses reported six incidents against the group during the year, including one involving violence and three involving discrimination, compared with eight in 2020. In January, in Buknari Village, a group of Christians assaulted two Muslim teens, following which there were

clashes between Muslim demonstrators and Christians in the village. In May, in Dmanisi City, ethnic Georgian Christians clashed with ethnic Azeri Muslims when a private dispute escalated to community violence. Participants spoke of the violence, which had both ethnic and religious dimensions, in terms of “Muslims versus Christians.” Some religious leaders stated SARI pressured AMAG as well as the Tbilisi Synagogue to publish statements against the LBGTQI+ advocacy organization Tbilisi Pride’s planned July 5 Tbilisi “March for Dignity”, which was cancelled when violent far-right actors, including some GOC priests, attacked group members and offices. The NGO Media Development Foundation documented 117 instances of religiously intolerant remarks in national media during the year, including by politicians, clergy, and media figures, compared with 30 in 2020. The NGO attributed the increase in incidents in part to intolerant statements by television station Alt-Info, which began broadcasting during the year, and to reporting on the violence in Buknari. Some clergy propagated antisemitic conspiracy theories about COVID-19. There were instances of sermons by senior GOC clergy that various groups described as antisemitic. In a January 4 sermon, for example, GOC Archbishop Ilia Karkadze repeated antisemitic tropes about Jewish control of banks and media; according to TDI, the GOC subsequently condemned antisemitism and the archbishop’s comments.

U.S. embassy officials met regularly with senior government officials, including the Prime Minister’s adviser on human rights, members of parliament, and the Public Defender’s Office, to encourage dialogue and tolerance between the government and minority religious groups. The Ambassador met with GOC Patriarch Ilia II and other senior Church leaders to stress the importance of religious diversity and tolerance. Embassy officials met with senior GOC and MFA officials concerning their responses to the reports of antisemitic sermons by GOC clergy. The embassy continued to meet with NGOs to discuss interfaith relations and the integration of religious minorities into society, and to support NGO programs encouraging interfaith tolerance and dialogue and respect for minority religious rights.

## **Section I. Religious Demography**

The U.S. government estimates the total population at 4.9 million (midyear 2021). According to a 2021 Georgian National Statistics Service estimate, the population is 3.7 million. According to the 2014 census, GOC members constitute 83.4 percent of the population, followed by Muslims at 10.7 percent and members of the Armenian Apostolic Church at 2.9 percent. The remaining 3 percent includes Roman Catholics, Yezidis, Greek Orthodox, Jews, growing numbers of religious

groups defined by the law as “nontraditional” such as Baptists, Jehovah’s Witnesses, Pentecostals, the International Society of Krishna Consciousness, and individuals who profess no religious affiliation.

Ethnicity, religious affiliation, and region of residence are strongly connected. Most ethnic Georgians affiliate with the GOC. A small number of mostly ethnic Russians are members of several Orthodox groups not affiliated with the GOC, including the ROC, Molokani, Starovery (Old Believers), and Dukhobory (Spirit Wrestlers). Ethnic Azeris are predominantly Shia Muslims and form the majority population in the southeastern region of Kvemo-Kartli. Other Muslim groups include ethnic Georgian Muslims in Adjara region and Chechen Kists in the northeast; both groups are predominantly Sunni. Ethnic Georgian Sunni Muslims are also present in the south-central region of Samtskhe-Javakheti. Ethnic Armenians belong primarily to the Armenian Apostolic Church and constitute the majority population in Samtskhe-Javakheti Region.

Reliable information from the Russia-occupied regions of Georgia continued to be difficult to obtain. According to the 2016 census conducted by de facto Abkhaz authorities (the most recent), there were 243,000 residents of Russia-occupied Abkhazia. A survey conducted in 2003 by the de facto authorities listed 60 percent of respondents as Christian, 16 percent as Muslim, 8 percent as atheists or nonbelievers, 8 percent as followers of the pre-Christian Abkhazian religion, and 1 percent as Jehovah’s Witnesses, Jews, or adherents of other religions. The remaining 7 percent listed no preference.

According to a 2015 census conducted by de facto South Ossetian authorities, there were 53,000 residents of Russia-occupied South Ossetia, of whom the majority were Orthodox Christians. Minority groups included Muslims and the Right Faith, a pre-Christian ethnic Ossetian religion.

## **Section II. Status of Government Respect for Religious Freedom**

### **Legal Framework**

The constitution provides for freedom of belief and religion, subject to considerations of public safety and the health and rights of others, and equality for all regardless of religion. It prohibits persecution based on religion and prohibits compelling anyone to express his or her opinion about religion. It also prohibits political parties that incite religious strife. The law provides for freedom of

religious belief, denomination, and conscience, including the right to choose and change religious affiliation.

The constitution recognizes the GOC's special role in the country's history but stipulates the Church shall be independent from the state and that relations between the GOC and the state shall be governed by a constitutional agreement (concordat). The concordat grants the GOC rights not given to other religious groups, including legal immunity for its patriarch and a consultative role in government, especially in state education policies, and reiterates an exemption of Church clergy from military service (although by law, clergy from all religious groups are exempted). The concordat states that some of its provisions require additional legislation before they may be implemented, including the GOC's right to a consultative role in state education policies. There is currently no implementing legislation for the concordat. Changes to or cancellation of the concordat require a three-fifths majority of parliament and the consent of the GOC.

A religious group may register with the National Agency of the Public Registry (NAPR) as a legal entity under public law or as a noncommercial entity. Both statuses offer equivalent benefits, including legal recognition, tax exemptions for donations and other "religious activities," (a term not clearly defined by law), and the right to own property and open bank accounts. The civil code defines the activities and rights of denominations registered for legal entity under public law status. Unregistered religious groups may conduct religious activities but do not receive the legal status or benefits conferred on registered groups. Unregistered religious groups may have a charter and ownership of property may be based on that charter. The property should be registered with the National Registrar. They may maintain a bank account with a commercial bank, based on national bank regulations. Unregistered groups may also invite clergy to the country.

To register as a legal entity under public law, the law specifies a religious group must have a historic link with the country or be recognized as a religion "by the legislation of the member states of the Council of Europe." A religious group must also submit to the NAPR information regarding its objectives and procedures and a list of its founders and members of its governing body. Religious groups registering as noncommercial entities do not have to demonstrate historic ties to the country or recognition by Council of Europe members but must submit to the NAPR similar information on their objectives, governing procedures, and names of founders and members of their governing body. There is no appeal mechanism for groups that are denied registration as a legal entity under public law, but they may reapply to NAPR.

The state recognizes only civil marriages; it does not recognize marriages conducted by the GOC or other religious groups, regardless of their registration status.

The law grants the GOC exceptions from several requirements applicable to other religious groups, including payment of taxes on the construction, restoration, and maintenance of religious buildings and the payment of taxes on property. It exempts the GOC, but not other religious groups, from taxes on “profit from the sale of crosses, candles, icons, books, and calendars used...for religious purposes.” In addition, the law states only the GOC may acquire nonagricultural state property through a direct sale by the government. Should other religious groups wish to acquire this type of property, they must participate in public tenders. Only the GOC has the right to acquire agricultural state property free of charge; all others must pay a fee. The law grants the Church ownership over state forests located near or adjacent to GOC churches and monasteries.

The criminal code prohibits interference with worship services, persecution of a person based on religious faith or belief, and interference with the establishment of a religious organization; the code does not define “establishment.” Interference with the establishment of a religious organization is punishable by a fine, “corrective labor” (community service) for up to one year, house arrest for six months to two years, or imprisonment for up to two years. Violations committed by public officials are considered abuses of power and are punishable by larger fines or longer terms of imprisonment if committed by force of arms or by insulting the dignity of a victim, although the law does not define “insult” and does not specify an amount or time limit for punishment under those circumstances. In cases of religious persecution, the perpetrator may face imprisonment for up to three years, depending on the use or threat of violence, his or her official position, and the damages caused. In cases of unlawful interference with the right to perform religious rituals involving the use or threat of violence, offenders may face imprisonment for up to two years; in cases where the offender holds an official position, the offender may face up to five years in prison.

According to a Ministry of Justice decree, accused and convicted individuals may meet only with spiritual representatives of the GOC and registered religious organizations. Prison regulations state prisoners have the right to possess and use religious literature and objects of worship.

The law prohibits restitution to religious organizations of religious buildings and their ruins previously owned by these groups and currently under state ownership, including historical religious buildings confiscated by the Soviet regime. The prohibition, however, does not apply to the GOC, which, per the terms of its concordat with the government, is entitled to receive all previously confiscated property. For other religious groups, the government, through NAPR, lends the property on a for-use-only basis to the groups as legal entities under public law; this is not considered a transfer of state property.

The law stipulates that five religious groups are eligible to receive government payments in compensation for damages they experienced during the totalitarian Soviet regime: the GOC, the Muslim community, represented by AMAG, the Roman Catholic Church, the Armenian Apostolic Church, and the Jewish community. According to the law, the government may not pay such compensation to any other religious group.

Although the law states that public schools may not be used for religious indoctrination, proselytizing, or forcible assimilation, the concordat accords the GOC the right to teach religious studies in public educational institutions; however, there is no implementing legislation allowing the GOC to do so. The concordat also authorizes the state to pay for Georgian Orthodox religious schools, although the government does not do so. The law states that students may pursue religious study and practice religious rituals on school grounds “of their own accord,” but only after school hours. Outside instructors, including clergy of any faith tradition, may only attend or direct students’ religious education or activities if students invite them to do so; school administration and teachers may not be involved in this process. The law includes no specific regulations for private religious schools. Private schools must follow the national curriculum, although they are free to add subjects, including religious studies, if they wish.

The MOIA’s Department of Human Rights is responsible for assessing whether crimes are motivated by religious hatred and for monitoring the quality of investigations into hate crimes.

By law, the Prosecutor General’s Office, which is separate from the MOIA, prosecutes human rights violations involving religious intolerance, while the Public Defender’s Office serves as the country’s human rights ombudsman and monitors complaints of restrictions on religious freedom. The Public Defender’s Office (Human Rights Ombudsperson) is a watchdog rather than an investigatory body; it and makes recommendations to the MOIA and the State Inspector Service.

The Public Defender's Office's Tolerance Center (composed of leaders from minority religious groups) carries out educational activities and monitors and analyzes cases of religious and ethnic discrimination. It also coordinates the Council of Religions and Council of Ethnic Minorities, which are affiliated with the Public Defender's Office. The Council of Religions has a civic mandate to protect religious freedom; facilitate a constructive multilateral dialogue among various religious groups; promote a tolerant, fair, and peaceful environment for religious groups; and engage religious minorities in the process of civic integration. It produces an annual report on the status of religious freedom in the country that includes policy recommendations.

The State Inspector Service, a separate investigative body from the Prosecutor General's Office, investigates crimes such as torture, degrading treatment, and abuse of power or office perpetrated by law enforcement and public officials if committed with the use of force or in violation of human dignity and involving discriminatory elements, including religious motives. Following an investigation, the service may refer these cases to the Prosecutor General's Office for prosecution. The service has never received any information on a religiously motivated crime since its creation in 2019.

The mandate of SARI, which is part of the Office of the Prime Minister, is to promote and ensure peaceful coexistence based on principles of equality and tolerance. Its responsibilities include researching the existing religious situation and reporting to the government, preparing recommendations and drafting legal acts pertaining to religion for government consideration, and serving as a consultative body and intermediary for the government in disputes arising between religious associations. SARI may issue nonbinding recommendations to relevant state institutions regarding approval of applications for the construction of religious buildings, determination of their locations, and transfer of such properties to religious organizations. By law, SARI distributes government compensation to the GOC and to Islamic, Jewish, Roman Catholic, and Armenian Apostolic religious organizations registered as legal entities under public law for "the material and moral damages inflicted upon them during the Soviet period."

The country is a party to the International Covenant on Civil and Political Rights.

### **Government Practices**

On June 30, the government ended a curfew that it had instituted in November 2020 in response to COVID-19, but some restrictions on large social gatherings

remained in place. Prior to the end of the curfew, minority religious leaders and religious freedom NGOs stated curfew rules were not applied equally, as the government granted blanket exceptions for the GOC to organize gatherings on GOC holidays, including Orthodox Christmas Eve on January 6 and Orthodox Easter Eve on May 1, while other minority religious groups had to apply on each occasion for one-time exceptions for their holidays and to submit to SARI full lists of expected attendees. Critics said this created a barrier to freedom of assembly for religious purposes and caused concern that the State Security Service was tracking minority religious groups' members. According to a TDI report on religious freedom, the government stated in response to criticism that any religious group could submit a list of clergy and parishioners to SARI, and it would issue one-time curfew passes for those on the list. TDI, the Union of Georgian Muslims, the Supreme Theological Division of the Muslims of Georgia, the Evangelical Church, the Evangelical Baptist Church, the Church of the Gospel Faith, the Ahmadiyya Muslim Community, the Word of Life Evangelical Church, the Friends Society – Quakers, the Svedenburg Religious Society, the Church of the Anointed Christians, the Roman Catholic Church, and the Salvation Army called this process discriminatory and an unjustified collection of personal data and did not apply for permits.

From June 30 to the end of the year, permits for public gatherings, including religious gatherings, were no longer required, although the government issued recommendations to mitigate the spread of COVID-19. At year's end, however, restrictions remained on "large-scale" social gatherings that applied to wedding receptions.

On August 1, Nika Gvaramia, director general of the pro-opposition television channel Mtavari Arkhi TV, reported the State Security Service was spying on clergy, including GOC clergy, among other groups. In September, transcripts of telephone conversations were published on the internet and widely covered in the media. These appeared to document widespread surveillance by the State Security Service of religious leaders, including their interactions with political leaders, journalists, and foreign diplomats. The government and ruling Georgian Dream Party denied the legitimacy of these documents, while NGOs, journalists, and religious leaders stated many of the documents were accurate. Numerous political and civil society leaders expressed concern that the State Security Service monitored private conversations with their personal religious or spiritual leaders and said such activity had a chilling effect on religious freedom, as it confirmed their suspicion the State Security Service was monitoring religious groups.

In September, the NAPR registered the Jehovah's Witnesses Christian Organization in Georgia as a legal entity under public law. Previously, the group was registered as a noncommercial entity. The group stated it sought the change to bring the Jehovah's Witnesses Christian Organization in Georgia to an equal legal status as other recognized religious groups. Because noncommercial entities and legal entities under public law receive the same benefits, the group did not gain additional benefits. The NAPR denied the registration applications of six organizations due to "non-existence of legal grounds envisioned by legislation": the Evangelical Church – Source of Life; Protestant Confession – Presbyterianism; the Georgian Christian Evangelical Protestant Church – Biblical Friends (Quakers); the Caucasus Orthodox Catacomb Church; the Evangelical Church; and the Georgian Christian Protestant Church – Eternal Freedom.

Most prisons continued to have Georgian Orthodox chapels and areas for prayer. Authorities allowed Muslims to pray in their cells or prayer areas and to possess Qurans and prayer rugs. According to SARI and Catholic, Armenian Apostolic, Baptist, Muslim, and Jewish groups, prisoners had access to counseling and services appropriate to their religious group upon request. The government provided accommodation for the dietary restrictions of Muslim and Jewish prisoners. During religious holidays, prisoners were exempt from fulfilling their regular duties.

According to NGOs and minority religious groups, many religious issues, such as tax exemptions and restitution issues, continued to lack a clear legislative framework. SARI and some religious groups' representatives, including members of the Jewish community and the Armenian Apostolic Church, said they remained in favor of drafting a new, broader "law on religion" to define which groups would be eligible for these and other benefits and to address issues pertaining to the registration and legal status of religious groups and the teaching of religion in public schools. Many civil society representatives and members of other religious groups, including some individuals from the Muslim community, the Catholic Church, and the Evangelical Baptist Church, however, remained opposed, arguing such legislation would create a hierarchy of religious groups and allow the government to discriminate against smaller religious communities and increase its leverage over them. Critics of such a law also stated it might include new criteria for registration that would be difficult for nontraditional religious groups to meet. They expressed concern that it would also expand the role of SARI, which some smaller groups said they viewed as an entity that promoted government control of religious organizations rather than a protector of religious freedom. They advocated instead for making benefits available to all religious groups or to none.

Parliament again failed to amend the law granting the GOC tax and property privileges not available to other religious groups, despite the Constitutional Court ruling in 2018 that the law was unconstitutional and instructing parliament to make legislative changes to either abolish the privileges or grant them to all religious organizations no later than December 31, 2018. Although the Constitutional Court's ruling was legally binding, the court had no means to enforce parliament's compliance.

On November 16, the European Court of Human Rights (ECHR) ruled against the government, finding police had abused and discriminated against four Muslim Georgians during their arrest while at a protest in Mokhe village in 2014. The four were protesting the government's efforts to forcibly remove a mosque's minaret in the village of Chela in Samtskhe-Javakheti Region after the municipal government stated it had been constructed without a proper permit. The ECHR awarded three claimants 1,800 euros (\$2,000) each and one claimant 3,900 euros (\$4,400) compensation.

In July, TDI filed a case with the Constitutional Court, disputing the constitutionality of provisions in the law prohibiting restitution to religious organizations other than the GOC of religious buildings and ruins they previously owned that were currently under state ownership. TDI stated the disparate treatment constituted discrimination toward minority religious communities. On August 6, the Constitutional Court registered the lawsuit, but at year's end, it had not yet decided whether it would hear the case.

Many religious property cases pending before the courts and with SARI failed to make progress during the year. Religious groups said this was partly due to institutional inefficiencies and partly due to disruptions caused by the COVID-19 pandemic.

On April 30, the Constitutional Court agreed to hear a case brought by nine religious groups alleging that the GOC's exclusive property tax exemption on land used for noneconomic purposes violated constitutional guarantees of equality before the law. The court ruled in 2020 the plaintiffs' case had merit and that it would accept it for substantive consideration. On December 28, the Constitutional Court combined this case with two other cases submitted by TDI during the year. TDI's first case, submitted to the Constitutional Court in April on behalf of nine religious associations, disputed the constitutionality of import tax regulations that allowed the GOC to import religious items free of duty while requiring all other

religious groups to pay tax on them. On June 23, the court partially accepted the constitutional claim of the nine religious associations for consideration on the merits. In the second case, submitted in July, TDI challenged the constitutionality of the law prohibiting religious organizations, other than the GOC, from regaining full legal ownership of property that was seized by the Soviet regime and currently under state ownership.

At year's end, the Constitutional Court had not ruled on whether it would hear another case brought by nine religious organizations, Christian and Muslim, challenging restrictions on the rights of religious organizations other than the GOC to purchase or exchange state-owned property. The court heard arguments on the case in early 2020.

NGOs and some Muslim community leaders again stated the government continued to favor and influence the state-funded AMAG religious group, including by selectively transferring land to AMAG and influencing the selection of AMAG's religious leader. The groups again said AMAG was a "Soviet-style" organization that served as a tool of the state to monitor and control religious groups. Several Muslim groups remained critical of AMAG for insisting it represented all Muslim communities in the country within one organization.

The Armenian Apostolic Church continued to petition SARI for restitution of five churches in Tbilisi and one in Akhaltsikhe, all of which the GOC also claimed and which authorities registered as state property. As of year's end, SARI had still not responded to any of the Church's 57 petitions, 20 of which it filed in 2015 and 37 in 2018, for ownership or right-of-usage status. The Church reported it operated all 57 churches in the country but did not own any of them. The Church also stated it had not petitioned NAPR during the year to register them as Church-owned property. According to the Armenian Apostolic Church, SARI said in 2020 that the Church had not provided sufficient evidence of ownership but that it was in communication with the Church and expressed willingness to cooperate in the future. According to Armenian Apostolic Church representatives, they did not engage SARI or petition NAPR on this issue during the year, as they did not see such efforts as productive.

Muslim community members continued to state there was a lack of transparency in government decisions regarding construction of mosques. The Muslim community continued to dispute the government's ownership, as a legacy of the Soviet era, of mosques in Kvemo Kartli, Adigeni, and Adjara. The government also said that, in some cases, the existing mosques were former Georgian Orthodox houses of

worship converted during the Ottoman and Persian empires or were constructed during those periods on land where Georgian Orthodox houses of worship had once stood. AMAG reported that when the government transferred state-owned mosques, it only did so for AMAG to use for a 49-year or unlimited period; the government did not transfer full ownership of the property or land.

On September 13, the Kutaisi Court of Appeal upheld a 2019 decision by the Batumi City Court that the Batumi city government had discriminated against the New Mosque Construction Fund (an entity representing members of the Batumi Muslim community seeking to establish a new mosque) by denying, in 2017, the permits necessary to build a new mosque on land the fund owned. The NGO Social Justice Center (formerly Human Right Education Monitoring Center) reported the Batumi city government appealed this decision to the Supreme Court. The New Mosque Construction Fund filed its own cassation appeal, which was pending at year's end, requesting that the appeal by the Batumi city government be partially annulled. If the cassation appeal were to be granted, the Batumi city government would be ordered to issue written consent to start the first stage of construction permitting for the new mosque, according to the Social Justice Center.

The government continued to pay subsidies for the restoration of religious properties it considered national cultural heritage sites. The National Agency for Cultural Heritage, housed within the Ministry of Education, Science, Culture, and Sport, allocated 2.25 million lari (\$732,000) during the year for the restoration of religious monuments, all belonging to the GOC, compared with 1.91 million lari (\$621,000) in 2020.

On April 12, the Supreme Court upheld a 2018 lower court decision that the Kobuleti city government must connect an Islamic boarding school in Kobuleti, near Batumi, to utility services. The court ordered the Kobuleti city government and a company contracted for the work to connect water and sewage systems to the school, but at year's end neither the municipality nor the company had taken action, and the school was unable to enforce the court decision. The boarding school, which remained incomplete, was the subject of anti-Turkish and anti-Muslim protests in 2014.

The GOC did not offer any formal religious studies classes in public institutions. Although the GOC had the right to have direct involvement in public institutions, such as schools, under the concordat, the government did not define clear legal structures for it to do so. The Social Justice Center said that, unlike in previous

years, it had not received any reports of visits to classes in public schools by GOC clergy during regular school hours, a practice prohibited by law.

As a result of the COVID-19 pandemic, most schools continued to rely on online instruction from January until September. TDI stated the Ministry of Education did not report to it any complaints of religious discrimination, but TDI remained concerned that students were hesitant to report such cases for fear of reprisal from fellow students, teachers, or school officials.

As in previous years, TDI stated that the MOIA generally correctly applied the appropriate articles of the criminal code in most cases and the quality of investigations of crimes motivated by religious hatred continued to improve. The institute stated, however, that the Prosecutor General's Office continued to fail to determine whether an individual was a "victim" of a crime under law (defined as a person who has incurred moral, physical, or material damage as a result of a crime) or to indict individuals for religiously motivated crimes.

Following a 2020 ruling by the Tbilisi City Court that the government was obliged to accommodate students' religious beliefs when scheduling national examinations, TDI reported that during the year all national exams were scheduled on weekdays. In 2020, TDI had represented two Seventh-day Adventist university applicants who were contesting the scheduling of an entrance exam on a Saturday, in the Tbilisi City Court case. TDI had also asked the court to find that the Ministry of Education had discriminated against the applicants because of their religion and to award "symbolic compensation" of one lari (\$0.33) for "moral damages," but at year's end, the court had not yet issued a ruling on the matter.

During the year, the government directly allocated from the state budget 25 million lari (\$8.13 million) to the GOC and SARI reported it allocated 3.5 million lari (\$1.14 million) to the four other eligible religious communities to provide partial compensation for damage caused during the Soviet regime. The 3.5 million lari (\$1.14 million) was distributed as follows: 2.2 million lari (\$715,000) to the Muslim community, represented by AMAG; 400,000 lari (\$130,000) to the Roman Catholic Church; 600,000 lari (\$195,000) to the Armenian Apostolic Church; and 300,000 lari (\$97,600) to the Jewish community. These were the same as the 2020 amounts. SARI again said the remaining one million lari (\$325,000) would be distributed among the religious communities "later." SARI's position was that the payments were of "partial and of symbolic character," and that the government continued to take into account levels of damage and "present day negative conditions" of religious groups in determining compensation. NGOs and religious

groups continued to criticize the exclusion of other religious groups, including the Evangelical Lutheran Church, from the legislation designating the five groups eligible to receive compensation, and they questioned the criteria the government used to select which groups received compensation.

At year's end, the MOIA Department of Human Rights conducted seven in-person training sessions for a total of 274 employees in Tbilisi and Batumi, as well as three online sessions. At these events, it trained MOIA employees on aspects of religious discrimination and hate crimes. Fifteen employees completed the ministry's remote learning course on hate crimes investigations. In June, in partnership with a program by the Council of Europe on fighting discrimination, hate crimes, and hate speech, 20 staff members of the MOIA's territorial and structural units received training on issues pertaining to crimes motivated by intolerance. Also in June, 40 managers participated in a four-day training course organized by the Office of the United Nations High Commissioner for Human Rights to increase awareness of issues of discrimination (including religious discrimination) and related crimes.

During the year, the media outlet Alt-info, widely described as far right, repeatedly aired criticism of Turkey and Islam. On March 29, it broadcast a statement by Georgian Idea Party (also widely considered to be far right) leader Guram Palavandishvili, who said, in part, "Why do we want Turkey, is it not an occupier? Today we do not want Islam either... We are unequivocally against their [Turkish] politics, which is our occupier, and against their religion, which is confronting our religion."

The Public Defender's Office and NGOs reported that in January, a ruling Georgian Dream Party member of parliament, commenting on violence between ethnic Georgian Christians and ethnic Georgian Muslims in the village of Buknari over the construction of a mosque, described the violence as between "Georgians and Muslims." The Public Defender's Office, in its Special Report on Combating and Preventing Discrimination and the State of Equality, called the statement "problematic."

### **Actions by Foreign Forces and Nonstate Actors**

Georgia's regions of Abkhazia and South Ossetia remained occupied by Russia and outside the administrative control of the central government. Reliable information from those regions continued to be difficult to obtain. According to the "constitution" adopted in Abkhazia, all persons in the region are equal before

the law regardless of religious beliefs and everyone has the right to freedom of religion, conscience, and belief. It forbids the formation of associations or parties or activities that incite religious discord. The “constitution” of South Ossetia guarantees freedom of conscience and faith but states, “Orthodox Christianity and traditional South Ossetian beliefs represent one of the foundations of the national self-awareness of the Ossetian people.”

The ROC and the GOC both formally recognized the Orthodox churches in Abkhazia as well as in South Ossetia as belonging to the GOC, but GOC representatives said de facto authorities in South Ossetia continued to pressure Orthodox churches to merge with the ROC. Sources stated that the ROC tacitly and unofficially supported breakaway churches that did not have official autocephaly from the GOC. De facto authorities continued to restrict GOC clergy’s accessing these areas. Some religious figures in Abkhazia continued to support turning the region’s Orthodox churches into an autocephalous Abkhaz Orthodox Church, while others wished to subordinate them to the ROC, and still others wished to subordinate them to the Ecumenical Patriarchate of Constantinople, according to GOC and other religious officials. Orthodox priest and self-declared head of the Abkhaz Orthodox Church Vissarion Aplia continued to call for independence from the GOC. On October 12, the GOC Patriarchate invited Aplia to a dialogue in Tbilisi. Aplia told an Abkhaz TV network on October 21 that the “issue is not decided in Tbilisi, but rather in Moscow, so let us return there and talk.”

Representatives of the GOC remained unable to travel to or conduct services in Russia-occupied Abkhazia, including in the majority-ethnic-Georgian Gali District. According to GOC representatives, the district’s ethnic Georgian population continued to have to travel to Tbilisi-administered territory to celebrate religious holidays. GOC worshipers in Abkhazia were unable to travel to Tbilisi-administered territory to celebrate Orthodox Christmas (January 7) or Orthodox Easter (May 2) due to the closure of the Enguri crossing point from February 2020 to July 2021 because of the COVID-19 pandemic. Following the lifting of coronavirus restrictions, de facto authorities in Abkhazia and South Ossetia continued to restrict movement across the division line with the rest of Georgia and to detain and fine residents for “illegal border crossings,” according to multiple reports by international and domestic observers.

According to the report *Freedom of Religion in Abkhazia and South Ossetia* issued in July by the think tank DRI, the GOC was unable to exercise de facto jurisdiction in Abkhazia and GOC clergy could not conduct church services there. The report

stated ethnic Georgian worshipers who identified with the GOC experienced discrimination, while ethnic Abkhaz Muslims did not. It stated that Eid al-Adha was an official holiday, and that during Orthodox services, “clergy mention all the Orthodox Patriarchs, except the Catholicos-Patriarch of Georgia.”

De facto authorities in both Abkhazia and South Ossetia continued to ban Jehovah’s Witnesses. According to DRI’s report, Jehovah's Witnesses and Pentecostals in Akhgori, South Ossetia could assemble freely, although the “KGB” (the de facto security services) often summoned them for interrogation in previous years.

The June SARI report *Occupation Heritage* stated that only five GOC clergy and one church remained operational in Russia-occupied South Ossetia. According to the report, de facto authorities in South Ossetia and Abkhazia sold Orthodox artifacts and painted over or damaged uniquely Georgian religious symbols.

According to GOC representatives, de facto authorities allowed the GOC to conduct services in South Ossetia, despite a de jure ban. DRI’s report *Freedom of Religion in Abkhazia and South Ossetia* stated the number of GOC clergy in South Ossetia was “extremely low.” According to the report, one GOC church remained open in Akhgori, South Ossetia, with one priest, and there were two nuns remaining in the Ikoti Monastery and one monk at the Trinity Monastery, also in South Ossetia. The report stated there was also one Ossetian church in Akhgori, subordinated to the Diocese of Alania, which held services occasionally, conducted in the Ossetian language.

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

During the year, the Human Rights Department of the MOIA investigated 13 cases involving crimes reported as religiously motivated, compared with 22 cases in 2020 and 44 cases in 2019. These included three cases of violence (zero in 2020); one case of domestic violence (zero in 2020); one case with multiple criminal code violations, including violence, a threat, and liability for a domestic crime; two cases of criminal threats (zero in 2020); one case of persecution (four in 2020); and five cases of damage or destruction of property (five in 2020). In one case, a man abused his wife physically and psychologically because he was irritated by her praying. Religious organizations and NGOs, which also tracked cases, said COVID-19 pandemic restrictions made gathering sufficient data on exact figures for the current or previous year difficult, but that due to government- and self-

imposed COVID-19 pandemic restrictions on public activity, crimes committed against religious groups declined, compared with prepandemic years.

According to the Social Justice Center, on January 12, in Buknari Village, Chokhatauri District, Guria Region, a group of Christians assaulted two teenage Muslim boys, injuring the teens, who required medical treatment. The incident reportedly occurred while the boys were going to or from a local prayer room established in a private home. The center said authorities arrested, tried, and convicted one of the Christians and sentenced him to prison, but further details of the case were unavailable. Following the assault, Muslims from the area and neighboring regions held demonstrations in the village, resulting in clashes between Muslim demonstrators and Christians. Police intervened and SARI Chair Zaza Vashakmadze said that the Muslim community's rights had been protected, a statement that many NGOs and members of the Muslim community disputed.

The Public Defender's Office reported it received six complaints of discrimination or hate crimes based on religion during the year, compared with seven in 2020. Three cases involved potential hate crimes. One of these involved the religious conflict in Buknari and another stating that the investigation into events surrounding the dismantling of the mosque in Mokhe in 2014 was insufficient and was carried out only in response to a case at the European Court of Human Rights. In the third case, on March 25, a person threw a Molotov cocktail in a Jehovah's Witness Kingdom Hall in Mtskheta. The attack destroyed several items, but the hall was unoccupied at the time and there were no injuries. According to the Public Defender's Office, authorities officially recognized the Jehovah's Witnesses as targets of a religiously motivated crime in the incident. At year's end, the investigation of the attack was ongoing. The other three complaints the Public Defender's Office received involved discrimination cases, one pertaining to speech that incited discrimination because of religion; and two others alleging the Penitentiary Service did not post the list of food allowed for Muslims on religious holidays. The Public Defender's Office stated that cases from previous years remained largely unresolved, partly because of what it described as a lack of urgency and resources from the government.

According to media, in May, in Dmanisi City in Kvemo Kartli District, ethnic Georgians and ethnic Svan (an ethnic subgroup of Georgians) Christians clashed with ethnic Azeri Muslims when an ethnic Azeri shopkeeper refused to sell alcohol on credit to a group of ethnic Svans, who then attacked the shopkeeper and vandalized the store. Fellow Azeris came to the shopkeeper's defense, causing ethnic Georgians to enter the violence en masse on the side of the Svans.

Participants spoke of the violence, which had both ethnic and religious dimensions, in terms of “Muslims versus Christians.” The media report stated that on May 18, the mufti of eastern Georgia, Etibar Eminov, and the head of the communications office of the patriarchate of Georgia, Andrija Dzhagmaidze, went to the district with Georgian Dream Member of Parliament Sozar Subari and persuaded the communities to cease hostilities.

During the year, the Prosecutor General’s Office prosecuted five individuals for crimes motivated by religious intolerance. One was charged with persecution, one with domestic violence, one with rape and “disclosure of secrets of personal life,” and two with exceeding official powers. On April 10, the Tbilisi City Court convicted an ethnic Azerbaijani Muslim man of “regular violence” and sentenced him to a two-year suspended sentence. The appellate court upheld the conviction and sentence on November 29; the Prosecutor General’s Office appealed the decision to the Court of Cassation, arguing for a heavier sentence. The Prosecutor General’s Office cited both religious and gender discrimination, stating the man had systematically assaulted his wife and threatened to kill her on several occasions from 2017 until April 2021 because she attended a Christian church and wore a cross. The prosecutor’s appeal was pending at year’s end.

On September 16, the Tbilisi City Court convicted a man of rape and “unlawful obtaining, storage, use, dissemination of or otherwise making available secrets of personal life” and sentenced him to seven years in prison. The Prosecutor General’s Office stated the man raped a female Jehovah’s Witness on two occasions and took sexually explicit photographs of her in 2020. According to the prosecutor, the crime was motivated by religious and gender discrimination, and the defendant told the victim she deserved to be raped because she was a Jehovah’s Witness.

Jehovah’s Witnesses again said there were fewer attacks against members compared to pre-pandemic years because the group, in response to COVID-19 restrictions, shifted to online activities and ceased conducting public outreach, including door-to-door proselytizing. At year’s end, Jehovah’s Witnesses had reported six religiously motivated incidents to the government, compared with eight in 2020. Of the reported incidents, one involved attempted arson (the Molotov cocktail incident of March 25 in Mtskheta), two instances of vandalism against Kingdom Halls in Martkopi and Mtskheta, and three break-ins and/or thefts. Jehovah’s Witnesses said at year’s end, the six cases remained under investigation, along with five of eight cases from 2020. Of the other three 2020 cases, Jehovah’s Witnesses stated one investigation was ongoing; in another, the

court found the attacker guilty of persecution; and in the third, charges were dropped after the vandal paid compensation for damages.

On December 24, 2020, the Tbilisi City Court upheld its earlier conviction in the case of an individual who verbally insulted, then physically attacked, a Jehovah's Witness who had just left a religious service at a Kingdom Hall in Tbilisi. The victim required medical treatment for injuries to his eye and lip, and the attacker was found guilty of "purposeful, less grave damage to health."

During the year, some religious leaders stated SARI pressured AMAG as well as the Tbilisi Synagogue to publish statements against the LBGTQI+ advocacy organization Tbilisi Pride's planned July 5 Tbilisi "March for Dignity." Tbilisi Pride subsequently cancelled the march on the day the march was to take place when approximately 3,000 violent individuals described as far-right actors, including some GOC priests, attacked journalists, destroyed Tbilisi Pride's office, and attacked offices of sympathetic NGOs.

Representatives of the Public Defender's Office's Tolerance Center and minority religious groups continued to report what they termed a widespread societal belief that minority religious groups posed a threat to the GOC and to the country's cultural values. On January 14, the Public Defender's Council of Religions issued a statement expressing concerns over discrimination and hatred of people based on religious grounds. The statement cited violence against Islamic places of worship, the violence in Buknari, and a "wave of antisemitic speeches of the clergy." The statement said, "Insults and discrimination on religious grounds against people or religious communities, as well as manifestations of persecution, are disturbing."

Minority religious communities, including Muslims, Jehovah's Witnesses, Catholics, and Protestants, continued to report resistance from local communities to their establishment of places of worship and religious schools. A Social Justice Center report on the January violence in Buknari said that since 2012, the Chokhatauri municipality had denied requests to build a mosque in Buknari after public opposition by the Orthodox community. As a result, the Muslim community purchased a private house to use as a prayer room in 2020.

During the year, the Media Development Foundation (MDF) documented 117 instances of religiously intolerant statements on television, online, and in print by media representatives, political parties, clergy, public organizations, and others, compared with 30 such incidents in 2020. Of these statements, it classified 89 as being directed against Muslims, while 28 were directed against various other

religious groups. Ten statements were made by politicians from the Alliance of Patriots (three against Catholics and one praising the GOC), Georgian Dream (one against Muslims), and Georgian Idea (two against Baptists and three against Muslims) Parties, 73 by media representatives, 10 by various other organizations, two by religious representatives (including GOC Deacon Davit Isakadze, who criticized environmental activist Maka Suladze for choosing not to wear a cross), and 22 by members of the public. MDF attributed the increase in incidents in part to intolerant statements by television station Alt-Info, which began broadcasting during the year, and to reporting on the violence in Buknari.

In August, in an anti-COVID-19 vaccine video posted on Facebook, GOC Deacon Archil Mindiashvili stated the vaccines had not been tested on animals “because you, Judaists and Jews, are in a hurry to bring your Antichrist to the realm and conduct experiments on people.” TDI characterized the February 8 sermon of GOC Bishop Saba Gigiberia as antisemitic. In the sermon, Gigiberia linked COVID-19 vaccines to a conspiracy theory about Israel reconstructing the Second Temple in Jerusalem.

TDI reported that on January 4, GOC Archpriest Ilia Karkadze made antisemitic remarks in a sermon defending a 2020 sermon by Bishop Ioane Gamrekeli that was also antisemitic. In his sermon, Karkadze repeated common antisemitic tropes about Jewish control of banks and the media. He also cited 19th-century Russian monk Vasilii Vasilyev, known as Monk Abel, who said Jews had “poisoned Russia.” On January 1, Bishop Ioane stated that TDI was seeking to damage Georgian-Jewish relations. On January 8, the GOC published a statement acknowledging that Archpriest Karkadze’s January 4 sermon was antisemitic, saying that it “represents completely groundless accusations against the Jewish people [and] individual representatives. It is not based on the teachings of the Church and is inspired by antisemitic pathos [i.e., sentiment].”

On January 13, Alt-Info anchor Shota Martineko said in a broadcast, “... if within your influence sphere you give space to the religion contrary to yours, then you give it the means to defeat you.”

#### **Section IV. U.S. Government Policy and Engagement**

The Ambassador and other embassy officials met with officials from the government, including the Prime Minister’s advisor on human rights, and members of parliament to encourage government efforts to increase tolerance of minority religions and to hold individuals accountable for discriminatory actions,

particularly regarding the violence between Muslims and Christians in Buknari Village and antisemitic statements. They also continued to meet with the Public Defender's Office and officials in its Tolerance Center to discuss discrimination against minority religious groups, hear members' concerns about potential legislation, and stress the importance of interfaith dialogue. An embassy officer met with the head of the parliamentary Human Rights Committee to discuss concerns over religious freedom and potential legislation that could affect it.

Embassy staff continued to meet with NGOs, including the Center for Development and Democracy, the Social Justice Center, TDI, and the Council of Jewish Women of Georgia, to discuss interfaith relations, the integration of religious minorities into society, and the promotion of religious freedom for all.

Embassy representatives met with senior officials from the GOC and the Ministry of Foreign Affairs in the wake of a number of antisemitic statements made by GOC clergy to raise concerns over the GOC's inaction on curbing antisemitic comments and sermons. The Ambassador met with GOC Patriarch Ilia II and other senior GOC members on multiple occasions. In her meetings, she stressed the importance of religious diversity and tolerance.

The embassy continued to support Tolerance Center, Council of Ethnic Minorities, and Council of Religions programs that brought together leaders from different faith communities to monitor and advocate for religious freedom and raise public awareness about discrimination faced by religious and ethnic minorities. With embassy funding, the Council of Religions' and the Council of Ethnic Minorities' member organizations regularly met with regional and national government authorities to advocate for solutions to key issues, enhance the ability of government institutions to implement civil integration policies, and improve monitoring and management of ethnic and religious minority issues. The embassy funded the Council of Religions to study challenges facing religious minorities and formulate recommendations to protect religious freedom in the country. The embassy funded the Social Justice Center's "Improving Human Rights Conditions for Marginalized Groups through Strategic Litigation" project, which files court cases to protect the rights of minority religious groups and engages in field work, advocacy, and awareness-raising with regard to problems such as religious and ethnic discrimination by the state and private persons, including hate crimes and unequal treatment in the recognition of property and construction rights.

The embassy promoted International Religious Freedom Day by holding a virtual event on social media on October 27, with the Ambassador, head of the Tolerance

Center Beka Mindiashvili, and other embassy officials, who gave remarks and answered questions from high school and university students about religious freedom concepts and cases. The embassy's American Corner cultural centers supported interfaith dialogues with students through a number of roundtable discussions on religious tolerance and diversity.