

# ASSESSMENT OF THE NEEDS OF RELIGIOUS ORGANIZATIONS IN GEORGIA

TOLERANCE AND DIVERSITY INSTITUTE



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Assessment of the Needs  
of Religious Organizations in Georgia



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Tbilisi, 2014



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## Introduction

The research aims to identify the challenges and needs of religious organizations in Georgia and to evaluate the state policy towards religious minorities.

An assessment of the instances when religious and secular space converged in recent years reveals that the state's preferential treatment of the dominant church forms a basis for discrimination and a systematic violation of religious freedom.

As a general rule, the state fails to effectively respond to offenses motivated by religious intolerance directed against religious minorities. Furthermore, state bodies are sometimes involved in the process of discrimination.

The assessments, which have been produced by representatives from a wide spectrum of religious organizations surveyed within the scope of following research, reveal varied tendencies of religious freedom violations.

Part of the problem stems from the state's reluctance to address the persistent concerns that various religious organizations had for years. This led to the creation of new state institutions, such as the State Agency on Religious Affairs, but we have also seen growing occurrences of islamophobia and a drastic increase in the number of offenses motivated by religious intolerance.

In addition to identifying problems, this research offers specific recommendations to the state institutions; the implementation of which will contribute to the elimination of religiously motivated discrimination and will create more secure guarantees for the protection of religious freedom and the development of an equal and tolerant environment.

## Methodology

Due to the complexity of the research, the report uses the method of triangulation, which involves the extraction of results using both qualitative and quantitative methods.

The qualitative part of the study includes semi-structured in-depth interviews and desk research. The semi-structured interviews allowed researchers to follow a pre-determined discussion plan, while the respondents were given the opportunity to talk about issues that they considered important and problematic.

Within the scope of desk research, the researchers processed reports provided by religious organizations, court cases, public information requested from relevant institutions, studies and reports relating to the protection of religious freedom conducted by the office of the Public Defender, international and non-governmental organizations and recommendations developed by the Council of Religions under the auspices of the Public Defender of Georgia.

The qualitative data is obtained using questionnaire methodology. This approach enabled the research team to balance the strengths and weaknesses of each method, fill in information using materials received through varied methods and present the needs of religious minorities.

### **Empirical data-collection process**

The research team conducted semi-structured in-depth interviews with representatives of 33 religious organizations, representing the vast majority of religious communities in Georgia. (See full list in Annex # 1). Selected religious organizations differ in scale, worship, number of parishes, geographic distribution and legal status.

In order to reflect religious diversity, the field research was conducted in four regions of Georgia where religious minorities are broadly represented: Adjara (Batumi, Khulo Municipality), Samtskhe-Javakheti (Akhalkalaki, Akhaltsikhe, Akhaltsikhe Municipality villages Ivliita and Vale, Adigeni Municipality villages Arali and Ude), Kvemo-Kartli (Marneuli), Kakheti (Akhmeta Municipality, village Duisi).

The first phase of empirical data-gathering encompassed a four-month period (October, November, December of 2013 and January 2014) Considering that the research was aimed at identifying the needs of religious organizations, in-depth interviews were conducted with religious leaders, representatives and congregations. The congregation members were selected using a “snowball method” in order to clarify and extend specific facts described by religious leaders in their interviews and to talk directly to first-hand witnesses. In total within the scope of the research, 70 in-depth interviews were conducted.

During the second phase of the empirical research - within the timespan of one month - repeated interviews were conducted, sometimes with the same religious organizations (For example: the Georgian Muslims Union, the Christian Organization of Jehovah’s Witnesses, the Transcaucasian Union of Seventh-Day Christian-Adventists, the Evangelical-Lutheran Church etc.). The need for repeated interviews was caused by changes in state policy towards religious organizations (establishment of a new institution working on religious issues, changes in the organizational structure of the Muslim community, state initiative to provide restitution for four religious confessions due to material and moral damages inflicted during the Soviet Union). The report also includes relevant events occurring after the finalization of research up to May 2014.



Quantitative research results are obtained through a survey where 70 representatives of religious organizations were interviewed. The results, together with qualitative data, reveal significant tendencies.

### **Data Processing**

The empirical data processing phase consisted of two months during which analysis of interviews led to the identification of major challenges and the needs of the religious organizations. Depending on the issue, the research cites in a form of quotations the statements provided by representatives of religious organizations. In some cases, the problem is of a systematic character and applies to the absolute majority of religious organizations, whereas in the latter occurrences, no referral is made to any specific religious organization. When the problem is specific, religious organizations are mentioned accordingly. The quantitative data was used as an additional tool to categorize and underscore the tendencies revealed in qualitative data. The materials obtained during the desk research allow generalization and contextualization of empirical data.

According to the identified problems, each section of the text also provides problem-solving steps and specific recommendations.

## 1. Legal Violations on the Grounds of Religious Intolerance

**Summary:** *Representatives of religious minorities report religious persecution through physical and verbal abuse as one of the most acute problems in Georgia. Indeed, our study demonstrates that law enforcers do not react effectively or, in most cases, adequately to legal violations committed on the grounds of religious intolerance. Instead, they demonstrate indifference and a mocking, sometimes even aggressive, attitude.*

*There have been instances of law enforcers also displaying violence on the grounds of religious intolerance and violating the rights of worshippers. Also, investigating bodies frequently fail to launch investigations under appropriate legal articles that punish persecution on the grounds of religious intolerance, interruption of religious rites, and violation of equal rights principles. Finally, investigation process tends to be drawn out or reach no legal outcomes.*

*In 2012-2014, persecution, limitation, and discriminatory treatment of Muslims and Jehovah's Witnesses obtained a more systematic and large-scale format, and became especially problematic.*

*Members of religious minority groups participating in this research explore the reasons for the increased incidence of legal and religious freedom violations, blaming the government's and law enforcers' inadequate, ineffective, and discriminatory – as well as at times encouraging of intolerance – actions.*

**Discussion:** Practices of persecution and limitation of Muslims has reached a systematic level. 2012-2013 instances of violation of rights of Muslims in villages Nigvziani, Tsintska-ro, and Samtatskaro remain uninvestigated. These instances bear signs of criminal law violations. The investigation of the August 26, 2013 instances of illegal demolition of a minaret in the village Chela and physical violence against the local Muslims has not been launched yet, clearly demonstrating the government's infringement on the Muslims' rights. Finally, government officials who made public statements on the events as they unfolded, did not admit that these incidents violated the rights of Muslims and instead called the conflict "artificially incited."<sup>1</sup>

According to the information provided by the Jehovah's Witness Christian Organization, there were 11 instances of legal violations against Jehovah's Witnesses, 46 instances in 2013, and 25 instances during just the first three months of 2014 (June- March)<sup>2</sup>. Among the reported violations are instances of destruction of Jehovah's Witness cult buildings – Kingdom Halls, verbal and physical violence against Jehovah's Witnesses, threats, destruction of religious literature, and assaults. There are also instances of members of the Orthodox clergy participating in actions against Jehovah's Witnesses.

The Christian Organization of Jehovah's Witness reported about 20 instances of physical violence in 2013 (Tbilisi (7), Lanchkhuti (3), Vani, Gardabani, Zestaponi, Abasha, Tsalka, Kaspi, Batumi, Martvili, Senaki, Rustavi). There were 22 reported instances of verbal violence that same year (Tbilisi (6), Lanchkhuti (4), Senaki (2), Vani, Gardabani, Zestaponi, La-

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1 Crisis of Secularism and Loyalty Towards the Dominant Group, the Role of the Government in the 2012-2013 Religious Conflicts in Georgia. Available at: <http://emc.org.ge/2013/12/05/913/>

2 The information presented is fully based on the report provided by the Jehovah's Witnesses' Christian Organization to the Tolerance and Diversity Institute

godekhi, Abasha, Kaspi, Batumi, Martvili, Tskaltubo, Rustavi). Kingdom Halls have been attacked 16 times (Rustavi (4), Tbilisi (3), Vani (2), Borjomi, Tskaltubo, Dusheti, Lagodekhi, Batumi, Zugdidi, Kutaisi). According to the data provided by the religious organization, of the 46 reported instances of offences in 2013, 14 occurred in Tbilisi. Outside of Tbilisi, Lanchkhuti has a particularly large number of legal violations, with 6 reported instances in the past year. It must also be noted that members of Orthodox clergy also participate in violence against Jehovah's Witnesses. There were three such instances in 2013 in Tbilisi, Kaspi, and Tskaltubo. Instances of interruption of religious services are also quite frequent and are often followed by threats and destructions of street stands when Jehovah's Witnesses are in the process of acquainting their religious literature to the people who expressed the wish to hear this information. For example, on October 25, 2013 a passer-by ripped apart a poster and attempted to destroy the banner in front of the Tbilisi Justice House.

Victims reported each of the 46 violations that took place in 2013, except one, to the appropriate law enforcement and human rights agencies: the police, local prosecutor's office, central prosecutor's office, and the public defender's office. Manuchar Tsimintia, the Jehovah's Witnesses Christian Organization's lawyer, reported that while many of the reported cases contained signs of criminal code violations, the investigations are not conducted under appropriate articles – according to him, law enforcers frequently avoid using and qualifying crime under the 155th (illegal disruption of observation of religious rites) and 156th (religious persecution) articles of the Criminal Code<sup>3</sup>.

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3 Article 155 of the Criminal Code of Georgia - Illegal interference into performing worship or other religious rites or customs under violence or threat of violence or if it was done by insulting the religious feelings of a believer or servant of God. Article 156 of the Criminal Code of Georgia - Persecution for

According to the information provided by the Ministry of Internal Affairs of Georgia<sup>4</sup>, of the violations that took place in 2013, 10 investigations were initiated under articles from the Criminal Code and were terminated due to the absence of sufficient evidence (according to the Criminal Law Procedural Code's Article 105.a). According to the Ministry, none of these cases qualified as crime on the grounds of religious discrimination.

In order to illustrate the law enforcers' bias, the Jehovah's Witnesses pursued strategic litigation and made efforts to complete the legal process. The organization contested the denial to continue investigations of the case first at the district Prosecutor's Office, then at the Main Prosecutor's Office, and finally at the District Prosecutor's Office again. Despite the efforts, the investigation did not conclude with a legal outcome.

Of the violations that occurred in 2013, ten were terminated without an investigation due to insufficient evidence.

*On March 10, 2013, in the Vani municipality village Zeidani, K.M. and underage S.Kh. were observing their religion – they were providing willing listeners with biblical information. A local resident A.S. verbally and physically assaulted K.M. She kicked K.M. twice, which caused K.M. to undergo a medical check up at the local medical facility. K.M. reported the incident to the Vani regional division of the Ministry of Internal Affairs. The investigation was launched under the Article 125 of the Criminal Code of Georgia (beating). According to K.M., the detective responsible for this case, Leri Lortkipanidze, advised her to not mention*

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speech, opinion, conscience, religious denomination, faith or creed or political, public, professional, religious or scientific pursuits.

<sup>4</sup> Letter sent to the Jehovah's Witnesses Christian Organization by the Ministry of Internal Affairs: MIA 81400949196 (05/20/2014)

*the physical violence in her testimony. K.M.'s lawyers demanded for the case to be considered under Articles 155 (illegal interference into performing worship) and 156 (persecution) of the Criminal Code. According to the March 28, 2013 resolution, the investigation was terminated. On June 21, 2013, the religious group appealed the decision to the Samtredia district prosecutor's office. On July 2, 2013, the group handed over the June 26 resolution for the investigation to be terminated. Lawyers appealed this decision on July 12, 2013 to the Western Georgian district prosecutor office, where they received a denial. This decision was appealed to the central prosecutor's office. On September 23, 2013 they received a resolution that their appeal would not be satisfied.*

*According to the Jehovah's Witnesses, the Ministry of Internal Affairs' response to the offences against them is frequently inadequate. What's worse, they report that policemen demonstrate a mocking and discriminatory attitude towards the group, this way affecting the outcome of the investigation process. For example, on October 12, 2013, in the Gldani neighborhood of Tbilisi, two Jehovah's Witnesses D.K. and L.S. were physically and verbally assaulted during a religious service. According to the Jehovah's Witnesses, the inspector questioning them addressed them with mockery and aggression and frequently referred to their religion. Finally, the accused was simply given a warning. According to the information provided by the Ministry of Internal Affairs, an investigation into this case was not launched due to insufficient evidence.*

Currently, criminal persecution is initiated on 10 cases. Among these, in two cases investigation is carried in under Article 156 of the Criminal Code of Georgia (persecution) and

one – under Article 155 (illegal obstruction of observation of religious rite). Rest of the cases were launched for: robbing the Kingdom Hall (Article 177.a and 177.b), opening fire at the Kingdom Hall (Article 187.1), purposefully harming one's health (Article 118.1), battery (Article 125), and in three cases – damaging building windows.

The process of investigation is often procrastinated. In 2013, only three criminal case investigations resulted in a specific legal outcome and only in one case was the defendant accused of an administrative violation.<sup>5</sup>

According to the January – March 2014 information provided by the Jehovah's Witnesses, there were 25 offences committed against the group. The Ministry of Internal Affairs informed the religious group of current investigations of 18 of these offences. Of these, in ten of the cases the investigation was not initiated according to the appropriate Articles of the Criminal Code. The Ministry frequently explains the lack of action by the fact that the religious worship was not obstructed, or that no one was physically abused. In such cases, the perpetrator receives a verbal warning or writes a letter of apology. In one of the cases, an investigation was launched under Article 187.1 of the Criminal Code for the damages inflicted upon a car owned by a Jehovah's Witness on January

5 G.B. was found guilty of violating the Article 125.2 of the Criminal Code of Georgia for physically assaulting a Jehovah's Witness in Tbilisi on August 13, 2013, and was charged with 1,500 GEL.

S.G. was convicted to one year conditional detention and a 1,000 GEL fine as a result of a procedural agreement for violating the Articles 156.1 and 156.2.a of the Criminal Code of Georgia by physically and verbally assaulting Jehovah's Witnesses in Tsalka on October 2013.

A criminal case investigation was launched under Article 156 in the Martvili district department of Internal Affairs as a result of Jehovah's Witnesses being beaten on December 19, 2013 in village Didchkoni. The perpetrator was fined with 1,000 GEL. However, the prosecutor used his right to offer diversion and canceled the fine. Instead, a consultation report was filed with the victim. In one case, the court fined a perpetrator with 100 GEL for having physically assaulted a Jehovah's Witness.

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1, 2014. Eventually the investigation was terminated as the perpetrator reimbursed the victim's financial damages. Currently there are investigations in place for three instances. Of these, two are qualified as religiously motivated offences.<sup>6</sup>

Three criminal case investigations ended with specific legal consequences and the court recognized one of them as a religiously motivated crime.<sup>7</sup>

Data Analysis of 2013 indicates a fourfold increase in offences compared to 2012. In 2014, the number of offences that took place during five months almost equals to that of 12 months record of 2013. A sharp rise in offences directed against Jehovah's Witnesses exhibits disturbing tendencies of limiting religious freedom. In order to protect rights of religious minorities, it is necessary for the state to provide timely and effective investigation on the offences motivated by religious intolerance and to implement effective measures to improve tolerant environment in the country.

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<sup>6</sup> On January 5, 2014, an individual verbally and physically abused Jehovah's Witnesses in Kutaisi. The criminal investigation was started under Article 156.2.a of the Criminal Code (violence or threat of violence on the grounds of religion). An instance of persecution of Jehovah's Witnesses for their religious denomination is being currently investigated in the Tskaltubo district court under Article 156.2.a of the Criminal Code. On January 9, 2014, a Jehovah's Witness was physically and verbally assaulted in Tbilisi. The criminal investigation was started under Article 125.1 of the Criminal Code

<sup>7</sup> On January 3, 2014, Senaki district court launched a criminal case investigation of a threat with violence on a Jehovah's Witness on the grounds of religious denomination. The investigation was conducted under Article 156.2. The perpetrator and the victim reached a procedural agreement and the victim agreed to offer diversion.

On February 11, 2014, the Chiatura police arrested a perpetrator who was verbally abusing a Jehovah's Witness while being drunk. He resisted arrest and was arrested under Article 173 of the Administrative Code. Sachkhere district court fined the perpetrator with 1,100 GEL

On March 18, 2014, a perpetrator verbally abused Jehovah's Witnesses in Gori and threw their religious literature into the gutter. An Administrative violation report was filed under Article 166 of the Administrative Code and the Gori regional court fined G.I. with 100 GEL.



## **Recommendations**

To the Ministry of Internal Affairs; Main Prosecutor's Office of Georgia:

- The Ministry of Internal Affairs should react to legal offences inflicted on the grounds of religious intolerance in a timely and effective manner;
- Develop a strategic plan for law enforcement bodies to (a) prevent and eradicate crime based on religious intolerance and (b) study law enforcers' behavior and communication with citizens when such instances occur and improve the quality of communication;
- Adopt a "zero tolerance" policy when treating crime based on religious intolerance in order to (a) develop the means to not only react and punish such crime, but to also prevent it and (b) reverse the tendency of the growth in the number of crimes based on religious intolerance;
- Investigating bodies must ensure an appropriate qualification of violations and investigate them in a timely manner. It is necessary to investigate instances of religiously motivated offences under appropriate articles that regulate religious persecution, obstruction of religious rites and violation of principles of equal rights;
- It is necessary that the Public Defender and prestigious local non-governmental and international organization representatives train the employees and detectives of the Ministry of Internal Affairs and Prosecutor's Office in maintaining religious neutrality and protecting religious freedom, equal rights, and tolerance;

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- Prosecutor's Office must investigate 2012 Nigvziani and Tsintskaro violations, 2012 Samtatskaro violation, and August 26, 2013 violation of Muslim rights in village Chela, where there are possible traces of the local government representative and the Ministry of Internal Affairs employee involvement.

## 2. Property Issues

### **2.1. Restitution of the Property Seized by the Soviet Government**

**Summary:** *Study results revealed that restitution of the property seized by the Soviet government is one of the most pressing problems and needs religious minorities face in Georgia. For 20 years, five religious organizations -- Diocese of Armenian Apostolic Church in Georgia, Catholic Church, Muslim Union, Evangelical-Lutheran Church, and the Jewish Community -- have been for various reasons unable to regain their places of worship and other properties seized by the Soviet government.*

*Due to the draw out restitution process, the government has not been paying appropriate care to the historic, cultural, and religious buildings. Because these places of worship have not been restored/ conserved/ cleaned or protected, most of them have become significantly damaged and/or have fallen apart, even though they too belong to the Georgian cultural heritage. Those places of worship that have entered into the dominion of the Georgian Patriarchate, have had their historical appearance purposefully altered.*

*Study respondents also report that the restitution problem contributes to sustaining a constant tension between the majority and minority ethnic and religious groups and poses as one of the most important hurdles in civil integration.*

**Discussion:** At the end of the 1980's, by the Georgian SSR Council of Ministers' decree, the Georgian Orthodox Church Patriarchate regained the right to use the Christian places of worship confiscated by the Soviet government. Next, the SSR Council of Ministries' April 12, 1990 Resolution 183 declared

all religious unions existing in Georgia, except the Orthodox Church, void.

Among the buildings transferred into the Patriarchate's ownership were those that were historically owned by other religious organizations. Also, those buildings that were confiscated during the Soviet period, did not serve Orthodox purposes, and were owned by state or private parties (such as theaters, gyms, dance halls, library, etc.) have not been returned to their previous owners either.

On October 14, 2002, the government of Georgia and Georgian Apostolic Autocephalous Orthodox Church reached a constitutional agreement that declared "Orthodox churches, monasteries (functional or not), their remnants, and the land on which they are located" the property of the Patriarchate<sup>8</sup>.

However, the government of Georgia has not formed analogous agreements with any of the other religious organizations. The government did not adopt a law on restitution and, not only did the minority religious organizations not regain control over the buildings that the Patriarchate requested, but also those that the Patriarchate had no claims for and the state wished to keep for its own use. While it is true that government and inter-religious committees were formally formed in order to establish the true origins and ownership of the contested places of worship, these committees have performed no real function.

The "dispute" between religious organizations, the state, and the Patriarchate about restitution of the minority historical heritage has been ongoing for years and is a clear example of the State's systematic discrimination on religious-ethnic grounds.

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<sup>8</sup> Constitutional agreement, Article 7.1-2.

International organizations and Public Defender of Georgia have made continuous calls upon the government to revise its unjust treatment of issues pertaining to the restitution of historical heritage and rectify the historic justice.

We will discuss the issues pertaining to each religious organization separately due to the particularities of each of their experiences.

- On May 21, 2014, during her meeting with the members of the civil society, Navi Pillay, High Commissioner for Human Rights, commented on the issue of restitution. She stated that she is astonished by the selective treatment of religious minorities by the government of Georgia and called upon it to respect responsibilities spaced upon it toward the international society and its own constitutional anti-discriminatory regulations<sup>9</sup>.
- On January 25, 2014, Nils Muižnieks, Council of Europe Commissioner for Human Rights, noted that the restitution process is being conducted unjustly towards the religious minorities. Much remains to be done in the process of returning its property to the Diocese of Armenia, many of its churches being cultural monuments on the verge of collapse. According to him, representatives of the government of Georgia must take actions to restore and preserve these monuments<sup>10</sup>.
- European Council Advisory Committee on the Framework Convention for the Protection of National Minorities focused on the issue of restitution of property in its 2009 report. According to the committee, while the

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<sup>9</sup> United Nations High Commissioner for Human Rights, Navi Pillay Tbilisi, Georgia, 21 May 2014, Video recording of the meeting: <https://www.youtube.com/watch?v=DEQ8IeWddFs>

<sup>10</sup> Newspaper "Ardzagank," N<sup>o</sup>2, February 3, 2014; You may view the video recording of the meeting here: <http://www.youtube.com/watch?v=nRFPHE7KWGU&list>

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Georgian Orthodox Church regained control over the property that had been confiscated from it, this same process is being delayed for the religious minorities. Also, the Patriarchate has made attempts to take into its ownership properties belonging to other religious confessions, among them churches that belong to the Diocese of Armenia, for example Norashen, which was a place of prayer for Armenians since the 15th century.

- In 2007, the UN Committee on Human Rights also called upon the government of Georgia to “resolve the problems associated with the places of worship of the religious minority groups”<sup>11</sup>.
- Various reports have emphasized the problem of restitution. Examples of such reports include US Department of State’s annual International Religious Freedom Report,<sup>12</sup> NATO Parliamentary Assembly report on State and Religion in the Black Sea Region (2008)<sup>13</sup>, and reports and recommendations by the European Council against Racism and Intolerance (ECRI)<sup>14</sup>:
- Public Defender of Georgia constantly discusses the necessity of returning the historical property to the religious organizations in his Parliamentary reports and recommendations<sup>15</sup>; the Council of Religions under the

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11 Concluding observations of the Human Rights Committee on Georgia concerning the third periodic report, CCPR/C/GEO/CO/3, 15 November 2007, para. 15, available at: <http://www2.ohchr.org/english/bodies/hrc/hracs91.htm>

12 United States Department of State, Bureau of Democracy Human Rights and Labor- International Religious Freedom Report 2012, available at: <http://www.state.gov/documents/organization/208528.pdf>

13 2008 Report is available at: <http://www.nato-pa.int/Default.asp?SHORTCUT=1164>

14 European Commission against Racism and Intolerance(ECRI) 2010-available at: <http://www.coe.int/t/dghl/monitoring/ecri/country-by-country/georgia/GEO-CbC-IV-2010-017-ENG.pdf>

15 Parliamentary Reports of the Public Defender of Georgia available at:

auspices of Public Defender of Georgia also addressed the Georgian government to properly settle this issue<sup>16</sup>.

### **2.1.1. Diocese of Armenian Apostolic Orthodox Holy Church in Georgia**

According to the Georgian state archival information, there were 26 functioning churches of Diocese of Armenian Apostolic Orthodox Holy Church in Georgia in the early 20th century. At the end of the 20th century, the Georgian Patriarchate appropriated some of them without providing any documentation or grounds.

Diocese of Armenian Apostolic Orthodox Church is currently in the process of requesting from the government of Georgia the restitution of six churches that are left functionless and are referred as “contested churches” because the Georgian Patriarchate too is claiming the ownership of these churches. Of these churches, five are located in Tbilisi and the sixth one is in the Akhaltsikhe municipality<sup>17</sup> (In Tbilisi: Surb Minas, address: 13 Gelati St.; Shamkhorecoc Surb Astvacacin, address: 21 Peristsvaleba St.; Mughnecoc Surb Gevorg, address: 6, Beglar Akhospireli; Surb Nshan, address: 6, Akop Akopian; Norashen, address: 41 Konstantine Leselidze St; Akhaltsikhe: Akhaltsikhe Surb Nshan).

The churches at hand are currently registered as state property. Diocese of Armenian Apostolic Orthodox Church has

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<http://www.ombudsman.ge/ge/saparlamento-angarishebi>

16 Recommendations of the Council of Religions under the auspices of Public Defender’s Office available at: [http://tolerantoba.ge/index.php?id=1281619877&sub\\_id=1345202134](http://tolerantoba.ge/index.php?id=1281619877&sub_id=1345202134)

17 Ministry of Culture, Protection of Monuments, and Sports October 1, 2007 decree #3/181 established the immovable status of Mughnecoc Surb Gevorg, Surb Minas, Surb Nshan, Surb Etchmiadzin, Norashen, Shamkhorecoc Surb Astvacacin, and the Vani church bell tower.

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been negotiating with the state representatives for the past 20 years about the restitution of these monuments, however the Church to this day has not received an official response to any of its letters addressed to the state. According to the representatives of the Church, the main source of resistance in the process of restitution is the Georgian Patriarchate. In the mean time, the state has not made a single step forward in satisfying the requests of the Armenian Church.

*“One of the arguments put forward by the Patriarchate is that there are churches in Armenia over which the Georgian Patriarchate would like to regain its control. If this is the case, they should hold discussions with the Armenian government. However, right now the Patriarchate holds our churches, that belong to the Georgian cultural heritage, hostage” - states Levon Isakhanian, Head of the Department of Legal Affairs, the Relationship with the State, and Inter-religious Cooperation at the Diocese of the Armenian Apostolic Church in Georgia.*

It must also be noted that in 2012 the government of Georgia officially recognized Norashen, Subr Nshan, and Mughnecoc Surb Gevorg as Armenian churches. The periodic report on implementation of The European Council Advisory Committee on the Framework Convention for the Protection of National Minorities in Georgia states that “in 2011, government of Georgia prepared the documentation for restoring the Armenian churches located in Tbilisi, including Mughnecoc, Surb Nshan, and Norashen<sup>18</sup>.”

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18 Second Report Submitted by Georgia Pursuant to Article 25, Paragraph 2 of the Framework Convention for the Protection of National Minorities, ACFC/SR/II(2012)001, 30 May 2012, para. 109, page 49, available at: [http://www.coe.int/t/dghl/monitoring/minorities/3\\_FCNMdocs/PDF\\_2nd\\_SR\\_Georgia\\_en.pdf](http://www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/PDF_2nd_SR_Georgia_en.pdf)



The Clergymen of the Armenian Church express their concerns over the gradual change of the interior and the exterior of the monuments over the years: Armenian writing and architectural elements typical for the Armenian Church architecture have been removed from the frescoes and tombstones.

Most of the monuments of the Armenian descent and cultural heritage are in poor condition and require restoration. For example, the 14th century church Mughnecoc Surb Gevorg crumbled on November 19, 2009<sup>19</sup>. During the Soviet period, until 1980, the church housed the Museum of National Art, but once every piece of the display was moved to another building, the church was abandoned in a state of disrepair.

Currently, the church Shamkhorecoc Surb Astvacacin, located in the center of Avlabari neighborhood, is fully destroyed. Only parts of the East, West, and North sections of the church remain. The church crumbled on April 14, 1989. According to the government representatives, a 4.0 Richter scale earthquake caused the wreckage.

As previously mentioned, according to the report submitted to the European Council, the Georgian government prepared the documentation for restoring the Armenian churches located in Tbilisi, including Mughnecoc, Surb Nshan, and Norashen<sup>20</sup>. Despite these plans, Surb Nshan caught on fire on January 6, 2012 due to the trash accumulated in its exterior over the years, and on January 10, one of the four columns

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<sup>19</sup> See the 2011 National Concept and Action Plan on Tolerance and Civil Integration report

<sup>20</sup> Second Report Submitted by Georgia Pursuant to Article 25, Paragraph 2 of the Framework Convention for the Protection of National Minorities, ACFC/SR/II(2012)001, 30 May 2012, para. 109, page 49, available at: [http://www.coe.int/t/dghl/monitoring/minorities/3\\_FCNMdocs/PDF\\_2nd\\_SR\\_Georgia\\_en.pdf](http://www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/PDF_2nd_SR_Georgia_en.pdf)

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of the dome collapsed<sup>21</sup>. During the Soviet period, the church was used to store pasta, then it functioned as the Armenian-language book foundation archive of the National Library. Prior to the 2012 fire, Surb Nshan suffered a fire in 2002 as well. Since then, the church floor was covered with up to one meter of garbage and served as a shelter for the homeless and street dogs<sup>22</sup>. Finally, after the repeated fire and the damaging of the dome, Tbilisi City Hall began restoring the church.

Norashen is in need of restoration, however, no such work has been conducted yet, and only books have been removed from the space and the interior has been emptied. Before the Soviet period, the church belonged to the Apostolic Church, but then it housed the Academy of Science library. On February 25, 1995, the Patriarchate decided to consecrate Norashen as the Annunciation Church and held an Orthodox service there. After Armenian protests, the Patriarchate did not hold any more services in this building, but they still did not return the church into the Armenian ownership.

In 2008, Taniel Sikinchilashvili, member of the Orthodox clergy, moved the tombstones of the Armenian patrons located in the yard of Norashen. Georgian citizens of Armenian origin also witnessed this fact and protested against such behavior. Following this, the Orthodox clergy returned the tombstones to their original location<sup>23</sup>. According to the representative of the Armenian Church, the aim of this act of vandalism was to erase the Armenian writing and in this

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<sup>21</sup> Public Defender visits Surb Nshan. Tolerance Center under the auspices of the Public Defender:

[http://www.tolerantoba.ge/index.php?news\\_id=131](http://www.tolerantoba.ge/index.php?news_id=131)

<sup>22</sup> Surb Nshan - Mark of Societal Indifference, Jimsher Rekhviashvili, Radio Tavisupleba:

<http://www.radiotavisupleba.ge/content/article/24457831.htm>

<sup>23</sup> Video footage is available at:

[http://www.youtube.com/watch?v=UP\\_SdA\\_kuLc](http://www.youtube.com/watch?v=UP_SdA_kuLc)

way substantiate the church's Georgian origins. Replacement tombstones with Georgian writing were brought from various Georgian locations. Furthermore, the altar of typical Armenian architectural design was destroyed in the interior of the church<sup>24</sup>.

Based on the June 28, 2013 Government Order #671<sup>25</sup>, an inter-ministry committee was formed to study "the issues pertaining to the privately owned/held real estates under dispute," specifically, Mughnecoc Surb Gevorg, Surb Mina, and Surb Nshani. According to the order, the committee had to submit to the Government a report in two months after its creation. On September 23, 2013, the government issued Order #1387<sup>26</sup> about extending the committee operation by two months (until November 30, 2013). On November 25, 2013 the government issued Order #1587<sup>27</sup>, according to which the committee was ordered to create a working group and was mandated the power to appoint a body to examine the disputed properties.

Alexandre Margiashvili, the Chairman of the Committee, declared during his meeting with the representatives of the Diocese of Armenian Apostolic Orthodox Church that the working group would examine the issue by the summer of 2014, after which restoration of the church could begin. In his conversation with the Toleration and Diversity Institute, Margiashvili noted that there are currently no developments on the issue of restoring Armenian churches.

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24 Video footage is available at:

<http://www.youtube.com/watch?v=oH2kf-XDwuw>

25 Government Order can be accessed here: [https://matsne.gov.ge/index.php?option=com\\_ldmssearch&view=docView&id=2220229&lang=ge](https://matsne.gov.ge/index.php?option=com_ldmssearch&view=docView&id=2220229&lang=ge)

26 Government Order can be accessed here: [https://matsne.gov.ge/index.php?option=com\\_ldmssearch&view=docView&id=2032565&lang=ge](https://matsne.gov.ge/index.php?option=com_ldmssearch&view=docView&id=2032565&lang=ge)

27 Government Order can be accessed here: [https://matsne.gov.ge/index.php?option=com\\_ldmssearch&view=docView&id=2103372&lang=ge](https://matsne.gov.ge/index.php?option=com_ldmssearch&view=docView&id=2103372&lang=ge)

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### **2.1.2. Caucasus Apostolic Administration of Latin Rite Catholics**

The Caucasus Apostolic Administration of Latin Rite Catholics (Catholic Church in Georgia) is unable to regain dominion over five churches, which used to be in its ownership before Georgia joined the Soviet Union. These are the Kutaisi, Gori, Batumi, Ivlita (Akhhaltsikhe Municipality) and Ude (Adigeni Municipality) Churches. They are owned by Georgian Patriarchate now.

Of these five, representatives of the Orthodox Church allow the Catholic parish to pray only at the Ivlita church, for one hour.

*“During the Soviet times, people were accustomed to praying in secret. This is how they pray these days too. The Catholics attempted to negotiate to place their Trapezi (Special table at the Church) in the church too, but the Orthodox responded that they read the cleansing prayer after the Catholics are done with their prayer, and so they cannot let them place the Trapezi” - said Father Akaki Chelidze, the leader of the Catholic Church in Georgia.*

The Catholic Church began fighting to return its dominion over the churches at the end of the 1980's. They addressed the local and central government representatives with the request for the right to use the churches.

In August 2001, at the meeting of the Georgian Patriarchate and Vatican representatives, the Georgian Patriarchate proposed to the Vatican representatives that the discussion of the disputed churches be postponed or altogether removed from the agenda, however the Vatican did not agree to this;

at the time, the Patriarchate referenced the lack of government regulations of religious issues<sup>28</sup>.

In 2001, Catholic Church attempted to return the Kutaisi Church of Annunciation into its dominion by appealing to the court. However, the lawsuit was not resolved in the Catholic Church's favor. Both, the Tbilisi district court and Supreme Court ruled that the disputed church that had been in the Catholic dominion until 1939 was an Orthodox Church at the time of the dispute. The Patriarchate registered the Church of Annunciation under its name in the public registry on March 6, 2003, one year before the Supreme Court decision (April 27, 2004). After the Kutaisi case, the Catholic Church has not attempted to regain control of the other churches through court action<sup>29</sup>.

Several committees were formally formed over the years with the aim of establishing the ownership of the disputed churches and developing legal regulations. However, none of these committees have performed any real work. In 2004, Orthodox-Catholic committee was formed, which met twice and then stopped functioning altogether<sup>30</sup>.

According to the February 21, 2012 Resolution #63, there was to be formed “a government committee to discuss the issues noted in the constitutional agreement between the Georgian Government and the Georgian Apostolic Autocephalous Orthodox Church,” chaired by the Prime Minister. The function of one of the groups of this committee was to establish origins of the cult buildings. It becomes evident from the official letters provided to the Toleration and Diversity Institute by the

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28 History of the Cathedral of the Nativity of the Blessed Virgin Mary of Gori: <http://www.sg-sakdari.ge/sakatedro%20tadzari.php>

29 Supreme Court resolution, April 27, 2004 (No, SB-275-416-K-03).

30 New Government - Old Catholic Churches, *Tabula*, 23.10.2013, Can be accessed at: <http://www.tabula.ge/ge/story/62285-axali-xelisufleba-dzvelikatolikuri-tadzrebi>

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Chancellery of the Government of Georgia and the National Agency for State Property Management, that the committee has not be formed to this date<sup>31</sup>.

In 2012, Guram Odisharia, the Minister of Culture and Protection of Monuments, initiated the formation of another committee aimed at studying the disputed property. However, one year later, in May 2013, he told journalists that the issue was sensitive and therefore its resolution demanded. The official response provided to the Tolerance and Diversity Institute in 2014 reveals that this committee does not exist<sup>32</sup>.

On November 11, 2013 the Minister told media representatives that five of the so-called “disputed” churches are Catholic<sup>33</sup> and they need to be returned to their historic owners. However, no real steps were taken following this statement either and no one has contacted the representatives of the Catholic Church to discuss the issue at hand.

Representatives of the Caucasus Apostolic Administration of Latin Rite Catholics administration noted in the interviews conducted as a part of the study that at this point in the dispute they would agree to the right to simply hold services in the churches. And, in the cities where the number of Catholics is low (for example in Batumi), Catholic representation only asks the government to recognize the churches as part of the historic heritage.

Over the years, both the interior and exterior of the Catholic churches has changed. Representatives of the Catholic

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31 National Agency for State Property Management, Letter #14/10899 (March 26/2014); Chancellery of the Government of Georgia, Letter # 10868, March 31/2014

32 Ministry of Culture and Protection of Monuments, Letter #04/11-1272 (March 17/2014)

33 “Guram Odisharia Considers the Disputed Churches Catholic,” Givi Avaliani, Netgazeti. The article can be accessed at: <http://www.netgazeti.ge/GE/105/News/25302/>

Church consider such actions on behalf of the representatives of the Orthodox Church as an attempt to erase the evidence of the origins of these churches.

*At first, in 1993-94, space for prayer was provided for the Catholics in the Ude Church, but later it was taken away. Our cross and Catholic attributes were removed from the interior. Now we're not even allowed to pray there" - Father Mikheil Surmava.*

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*The Ude Virgin Church is located in the Adigeni municipality and it was built in 1904-1906 by Catholic Georgians. The Southern and Northern facades include tiles that have written on them that the church was built by the Georgian Catholics with the help of the Muslim cohabitants of the village. The Catholic priest was arrested in the 1930's and the church was turned into the storage space for the collective farm. The government gave the church to the Georgian Orthodox Church in the 1990's and since then, Orthodox mass is held there<sup>34</sup>.*

*These days, there's a new belfry, storage space, and "the place for the Patriarch's rest" built in the village Ude next to the Catholic church. During the fieldwork, such a dialogue took place between the group of TDI researchers and the local Orthodox priest:*

*- Orthodox priest: "It took us a lot of work to clean this church... We removed heretical items... dolls. Now, with God's grace, services are being held.*

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34 "Look of the Historic Catholic Church is being Changed" Tolerance Center under the auspices of the Public Defender available at: [http://tolerantoba.ge/index.php?news\\_id=293](http://tolerantoba.ge/index.php?news_id=293)

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- *Researcher: Didn't this church belong to the Catholics? How come the Catholics who reside in the village are no longer able to come into the church?*

- *Orthodox Priest: There are almost no Catholics left here, just a couple of elderly people. They are 'Papists.'*"

*In November 2012, local Orthodox clergymen initiated and launched the reconstruction of the church dome. According to the Orthodox leader, Priest Grigol, and the local clergymen, the roof of the church was leaking and it was necessary to repair it. However, the permission necessary for the launch of such repairs was not obtained from the Ministry of Culture and Protection of Monuments. The Orthodox clergymen explained themselves by supposing that a cult building erected in the 20th century could not have been a cultural monument. In reality, the Ude Virgin Church was given the immovable status as far back as in 2006<sup>35</sup>*

*During the conversation with the representatives of the Tolerance Center under the auspices of the Public Defender, the Church priest declared that there were plans to change the roof of the church in such a way that it resembled the architectural characteristics typical for the Orthodox Church and to "beautify" the cross<sup>36</sup>.*

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<sup>35</sup> Ministry of Culture, Monument Protection and Sports Order N3/133, 30 March, 2006

<sup>36</sup> "Look of the Historic Catholic Church is being Changed" Tolerance Center under the auspices of the Public Defender available at: [http://tolerantoba.ge/index.php?news\\_id=293](http://tolerantoba.ge/index.php?news_id=293)



### **2.1.3. Evangelical-Lutheran Church of Georgia**

Like other religious organizations, Evangelical-Lutheran Church of Georgia has been requesting the return of the property confiscated during the Soviet period. According to the Bishop of the church, Hans-Joachim Kiderlen, they addressed the President of Georgia Mikheil Saakashvili in an official letter in 2010 and listed the property they wished to reclaim. However, they did not receive a reply. After this, the Church addressed the Ministry of Economics and Sustainable Development about the restitution of the Lutheran churches located in the Tetrtskaro municipality village Asureti and in the town Bolnisi. The Church has not received a response to this letter either.

Village Asureti (Elizabetal), where German colonizers settled in 1818, still houses a church built by them at the end of the 19th century. In 1941, Stalin ordered most of the Germans living in this village to be exiled to Central Asia, emptying the village. A small share of Germans returned after the dissolution of the Soviet Union, however, the church is currently in use by the Orthodox parish without the Lutheran Church's permission.

*“They built a small chapel [in Asureti]... that the local population cares for. They placed icons there, they light candles... We wanted to share the church so that both, we and the Orthodox could use it, but the members of Orthodox clergy are against this” - Vicar Irina Solei.*

Evangelical-Lutheran Church representatives wrote the Prime Minister an official letter requesting restitution of the confiscated property, as the decision adopted by the Government on January 27, 2014 about compensating the material and moral damages inflicted upon four confessions during

the Soviet period did not include plans to compensate damages inflicted upon the Evangelical-Lutheran Church. The Church has not received a response to this letter either.

#### **2.1.4. Muslim Community**

Currently, the Muslim community demands the return of 18 historical, functionless mosques located in Kvemo Kartli, 4 mosques located in the Adigeni region, and 3 mosques in Adjara. If this request is not satisfied, the community requests from the government that these mosques be at least cleaned and restored. Great majority of the mosques are currently registered as state property, while some of them are not registered at all.

According to Vagip Akperov, the former Sheikh of the Shia Muslims, negotiations of the return of the Kvemo Kartli mosques have been ongoing for years. However, he also notes that if the property is restituted, caring for the mosques and paying utilities will be problematic.

Muslim believers residing in the territory of the Autonomous Republic of Adjara have been addressing the local and central government regarding the restitution of three mosques and their restoration for years.

Of the three mosques, one was located and functioning as a police station in the Kobuleti municipality village Mukhaestate, however it was fully destroyed in 2010 and a new police station was erected in its place.

The second mosque, located at 100 Aghmashenebeli Avenue in Kobuleti (former Rustaveli Cinema), is registered as government property and has been listed for privatization by the Ministry of Economic Development's August 9, 2007 Order #1-1/1197. On October 16, 2007, the Board of Muslim Mufti-

ate addressed the Ministry of Economic Development and requested the return of the mosque to the Muslim community free of charge and the restoration of its religious designation. The Muslim Union did not receive a response to this letter.

The third mosque located in the Khelvachauri municipality village Gvara has not been given a civil purpose, however, the attempts of Muslim community to regain control of this building has been in vain as well.

Mosques located in Samtskhe-Javakheti are also in poor condition. A 19<sup>th</sup> century mosque located in Abastumani is abandoned in ruins. Approximately 12 repatriated Meskhi Muslim families live nearby. Local Christians removed the mosque door and use the space as a barn<sup>37</sup>. We came across a similar story in the Adigeni district village Plate, where local inhabitants moved cornerstones of the inactive mosque. Zarzma Monastery priests used these stones to build cells near the monastery. The inhabitants began destroying the mosque as a result of the priests' initiative, explaining the action with the mosque not being a cultural and historical monument<sup>38</sup>. Stones removed from Plate in 2009 were found at the Zarzma Monastery by the team of the office of the Public Defender. It must be noted that no one has been held accountable for this act of vandalism.

The issues surrounding a 20th century mosque, built in the Adigeni District village Mokhe by the Meskhs who were forcibly removed by the Soviet government, are also problematic. The building had for awhile been in use as a storage space, library, and a village club. It is currently amortized

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37 "Kidnapping a half-moon," Tabula magazine, 04.02.2011, Article is accessible at: <http://www.tabula.ge/ge/story/53728-naxevarmtvaris-motaceba>

38 "Cultural heritage and vandalism," Liberali magazine, Eka Chitanava, Temo Bardzimashvili. Article is accessible at: <http://liberali.ge/ge/liberali/articles/100715/>

and left without function<sup>39</sup>. In 2008, the Muslim population addressed the Adigeni municipality government with a request to conduct restoration works on the mosque. The municipality promised the community to restore the building, however, it hasn't done so to this date. According to the Samtskhe-Javakheti Mufti, Mamuka Vashakmadze, the committee addressed the municipality government once again on May 30, 2014 with an official letter requesting the ownership transfer of the building to the Administration of Muslims of All Georgia. Jemal Paksadze, the Mufti of Western Georgia, visited the village too. However, as it became clear later, the local government has no intentions of discussing the request until local government elections have taken place. Local Orthodox Christian population is against claim that they will not allow construction of a Muslim temple in the center of the village<sup>40</sup>.

### **2.1.5. Jewish Community**

The issue of restitution of synagogues confiscated during the Soviet times is problematic for the Georgian Jewish community as well.

According to the information provided by the representatives of the Jewish community, there are functioning synagogues in Tbilisi, Kutaisi, Akhaltsikhe, Oni, Gori, Batumi, and Tsageri<sup>41</sup>. The community uses the abovementioned synagogues under a long-term lease and the funds are paid to the government purse.

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39 "Kidnapping a half-moon," Tabula magazine, 04.02.2011, Article is accessible at: <http://www.tabula.ge/ge/story/53728-naxevarmtvaris-motaceba>

40 "What did Jemal Paksadze promise to the Adigeni Muslim villages?," The Gate to the South, 31.05.2013, Accessible at: <http://sknews.ge/index.php?newsid=3796#.U5lrpnKSz4p>

41 Representatives of the Jewish community note that the Ministry of Culture and Protection of Heritage does not possess a full remuneration of the synagogues located in Georgia.

In Tbilisi Atoneli Street # 10, where the synagogue was located until 1930 and later replaced by the Royal District Theatre was subject to years of legal litigation. Finally, in 2001 the court decision granted Jewish community partial co-ownership of the building<sup>42</sup>. However, in order to avoid confrontation, the community decided to concede the property to the theatre for an indefinite term.

According to the representatives of the Jewish community, Oni, Kutaisi, and Akhaltsikhe Rabat territory synagogues require urgent restoration.

There are two synagogues in Akhaltsikhe that have been granted a cultural heritage monument status and are owned by the Georgian government<sup>43</sup>. One of them is functioning and had restoration works conducted in 2012-2013. The second synagogue, that used to house a gym, is in poor condition. In 2012, the gym was shut down as a result of the efforts of the Tolerance Center under the auspices of the Public Defender, together with the current Governor. Still, the building is in need of cleaning and restoration work.

Currently, the Oni synagogue is under restoration. According to the community representatives, the restoration conducted in the fall of 2013 was flawed. Specifically, the wall under the dome was drilled and, in order to simplify the process of installing the reinforcements, a large amount of water was used, which damaged the dome support. The restoration was paused in the winter.

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42 Supreme Court of Georgia Administrative Chamber Decision No. 3b/ad.132, 10 April, 2001

43 October 28, 2010 Order #3/272 by the Minister of Culture and Protection of Monuments of Georgia

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## Recommendations

To the Government of Georgia:

- The Government of Georgia should consider the recommendations of the Public Defender of Georgia<sup>44</sup> on creating a government committee on restitution, also representing the Public Defender's office and members of religious organizations. The committee should develop an action plan for returning the historical heritage confiscated during the Soviet period to their rightful owners and should supervise its timely and effective implementation.

To the Ministry of Culture and Protection of Monuments of Georgia:

- The government must provide care for places of worship of all religious organizations – this includes maintaining, reconstruction, and restoration work; especially for buildings of those religious minorities that are monuments of cultural heritage and/or are currently not functioning or are so-called disputed cult buildings.
- The Ministry must take preventative actions in order to stop the natural deterioration of the interior and exterior of the so-called disputed cult buildings.
- The government must conduct a proper census of cult buildings belonging to all religious organizations, create a complete database, and provide the buildings that meet certain criteria with a status of cultural monuments.

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<sup>44</sup> See 2013 Report by the Office of the Public Defender of Georgia

## **2.2. Construction of Buildings with Cult and Non-Religious Functions**

**Summary:** *Frequently, religious organizations have difficulties obtaining the official permissions necessary for the construction of cult and non-religious buildings within the timeframe established by the law.*

*Many religious groups face artificially created barriers when interacting with local government representatives. In 2012-2014 the following religious organizations faced such barriers: Jehovah's Witnesses Christian Organization, Caucasus Apostolic Administration of Latin Rite Catholics, and the Seventh-Day Christian Adventist Caucasian Union. The Muslim community has also had difficulties launching the construction of a new mosque in Batumi.*

*Frequently, local governments create artificial barriers on the grounds of discriminatory practices of consideration and favoring the "majority will."*

### **Discussion:**

#### **2.2.1. Difficulties at Local Government Bodies**

According to the representatives of religious organizations interviewed for this study, local government bodies unnecessarily prolong the process of granting permissions for the construction of cult or non-religious buildings<sup>45</sup>. For

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<sup>45</sup> Public legal affairs in Georgia concerning construction permits, issuance of permits, compliance with the permit conditions and operation of construction-buildings are regulated by the Governmental Decree #57 of 24 March 2009, concerning "Procedure for Issuing construction permits and permit Conditions." According to Paragraph 1, Article 45 of this decree, the decisions on the terms for using land plots for the purposes of construction work are taken by the administrative authority issuing the construction permit. In order to receive construction permits several stages of actions must be undertaken. In particular, determination of the urban construction conditions (usage of land-

example, Christian Organization of Jehovah’s Witnesses has been unable to build a Kingdom Hall in either Surami, Khashuri or Dedoplistskaro. In all three cases, the religious union prepared the necessary documentation for obtaining official permission, but has been unable to obtain permission for construction within the timeframe specified by the law.

The Resolution of the Government of Georgia “On the Procedure of Issuance of Construction Permits and Permit Conditions“ determines the power of the issuing administrative bodies and the time frame necessary for the procedure. According to the resolution, if the administrative body fails to issue the decision in the time frame specified by the resolution, the organization’s request of the permit will be automatically satisfied – conditions requested by the application (Article 45.12), the architectural design (Article 52.5), or the construction permit has been issued (Article 54.7).

Currently, the Resolution of the Government of Georgia places the burden of unnecessary delays and willful action on the administrative body and adopts important mechanisms for protecting the other side. However, when the unregistered union of Jehovah’s Witnesses known as Khashuri West requested a construction permit for the constructions planned in Khashuri and Surami, the Khashuri district court ruled that the government Resolution Articles at hand contradict Article 177.2 of the General Administrative Code and, since

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plots for construction purposes), agreement on the architectural-construction and receiving construction permit. Each stage envisages fixed timeframe. Article 52 paragraph 4 explains that the permit issuing authority must within the period specify, accept or deny the architectural plan of the construction. In case of denial, the authority is required to provide written notification to the applicant stating the reasons for refusal. Paragraph 12 of Article 45 states that if the decision is not made by the authority within the timeframe prescribed by law, the conditions of the request shall be considered as established.

However, the courts’ case-law considers paragraph 12 of Article 45 incompatible with General Administrative Code, and therefore the provision is thought not to bind permit issuing authorities.



the latter is an Act of higher legal power, the government Resolution does not stand.<sup>46</sup>

The Tbilisi Court of Appeals sustained the above approach. As a result, legal practice rendered the Government Resolution – which was to serve as a guarantor against willful action and the administrative body violating time specifications<sup>47</sup> -- powerless. The organization faces costly and time consuming administrative and court appeals as the only mechanisms for defending its rights.

Representatives of the Caucasus Apostolic Administration of Latin Rite Catholics have not been able to obtain a permit for building a cult building in Rustavi. On May 21, 2013, the Chair of the Rustavi City Assembly issued an order, which confirmed the Church's conditions for using the plot of land for construction. On July 26, 2013, during the second stage of the construction, the Catholic Church applied to the Assembly and submitted all the required documentation.

The local government body made a verbal agreement with the representatives of the Catholic Church, promising to inform them of the decision. However, for the next six months the organization has been unsuccessful in receiving the permit to complete the second stage of construction. At the end of February 2014, the Church addressed the Chair of the City Assembly once again; it received no response.

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46 Khashuri District Court Decision # 3-11-2013 (130370413187587), 30 April, 2013

47 Tbilisi Court of Appeals Chamber of Administrative Cases Decision on case No 3b/1025-13, 29 November, 2013

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## 2.2.2. Resistance from the Local Population

Local government decisions to issue construction permits are also affected by protests from local populations. Public officials implement discriminatory policies towards minorities as a result of pressure from Orthodox Church parishes and clergy.

In some cases, an Orthodox Church parish collects signatures to prevent religious minorities from building cult or non-religious buildings. In 2013, Khashuri Municipality received an official letter signed by 200 local residents protesting the construction of the Kingdom Hall, claiming that the cult building would offend the Christian cemetery located nearby.

In the summer of 2013, under pressure from the local population and Orthodox clergy, Terjola Municipality suspended Jehovah's Witnesses' permit for construction of a residential building located in the city center on Otkhi Dzma Street. The permit to build a one-story, simple category residential building was obtained by the religious organization on February 19, 2014. However, on June 1, two weeks after construction started, Orthodox residents led by the priest Spiridon Tskipurishvili asked the municipality to terminate the construction. In an interview, one of the protesters stated: "it is not a religion. It is a sect...if the construction will not stop; we will demolish it and will evict them from homes".<sup>48</sup> The protest was attended by pupils, teachers and the director of the Second Public School.<sup>49</sup>

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48 "Clashes in Terjola-Local Population against construction of Jehovah's Witnesses Hall", news, 03.06.2014, available at: <http://topnews.com.ge/index.php?newsid=2567>

49 The following conduct violates Article 13 of the Law of Georgia on General Education. According to the provision, It is prohibited to use educational process in the public schools for the purposes of religious indoctrination and proselytism.

During the protests, the representatives of local government displayed discriminatory treatment towards Jehovah's Witnesses. For example, Governor of Terjola Malkhaz Gurgenidze publicly expressed his negative attitude towards the construction. In an interview, he stated that: "construction work will terminate due to violations and everything is decided in favor of Orthodox Christians."<sup>50</sup>

Kakhaber Makaradze, who resides near the proposed building, submitted an administrative complaint to the municipality requesting suspension of construction. The letter did not make reference to religious motives. According to the applicant, the area in question was on a steep hill and the construction was endangering the stability of his property. The applicant requested suspension of construction until a proper engineering-geological study was conducted.

On June 3, 2014, the chairman of the council of Terjola Municipality, without any legal grounds or evidence, which should have been based on engineering-geological examination of the territory, suspended Jehovah's Witnesses construction (Order #244).

The representatives of local government refused to consider a private expert report submitted by Jehovah's Witnesses. The expert opinion stated that the territory intended for construction of the simple one-story building was "in a satisfactory condition and no negative physical-geological phenomenon was detected."

In the decision-making process, the chairman of the municipality and the governor completely disregarded legitimate interests of Jehovah's Witnesses, while granting illegal privileges to the requests of the Orthodox Christian Congregation.

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<sup>50</sup> "In Terjola construction of Jehovah's Witness shrine will be stopped by the municipality tomorrow." 03.06.2014, available at: [http://pia.ge/show\\_news.php?id=15676&lang=geo](http://pia.ge/show_news.php?id=15676&lang=geo)

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Therefore, the actions of the public officials constitute an offense (abuse of official authority/exceeding official power; illegal interference into religious activity) entailing elements of criminality.

In this context, an answer Kakhaber Makaradze provided is particularly interesting. When Jehovah's Witnesses asked him whether he would "still protest, if all experts will conclude that it is possible to continue construction", According to Jehovah's Witnesses, Makaradze stated that he would still oppose the construction since "he stands with the people and does not wish to see Jehovah's Witnesses building near his house or in his region."

It should be emphasized that after the suspension of construction, the harassment, religious prosecution and threats increased towards Jehovah's Witnesses.

Representatives of the Seventh-Day Christian Adventist Church Transcaucasian Union encountered similar problems when they addressed the Tetrtskaro municipal assembly with the request for a permit to build a sports center (residential house, gym, and a source of heating) on land they already owned in the Manglisi borough village of Algeti.

At the time the letter was submitted, the Office of Municipality Infrastructure and Technical Aid declared there were certain barriers to launching construction on the site. Later, it became known that a complaint with more than 200 signatures was delivered to the Municipality governor – the Manglisi local population was objecting on religious grounds to the construction of the sport center.

Representatives of the Seventh - day Adventist Religious Union have shared their conclusion that the aggression of the local parish is a result of the cultivation of hatred toward the minorities by members of the Orthodox clergy.

The administrative body's consideration of the local population's opinion of the project or its purposes during the process of issuing the Adventist Church a construction permit lacks legal grounds.

According to Article 42.2 of Resolution #57, "inclusion of such demands that are not specified by the law into the conditions of using a land plot for construction is impermissible." The law does not specify that the administrative body has the right to deny a construction permit on the grounds of the local population's protests of the land owner's construction plans.

It is the landowner's prerogative how to use the land. Regulation of the construction process and interference with the owner's rights is justified in cases when it threatens public safety or has urban development reasons. However, when an individual is deprived of the right to use his or her property without grounds or explanation, other than religious attitudes or irrational opinions, such limitation of ownership does not serve useful ends. In this case, ownership rights are clearly violated and can only be based on the discriminatory attitudes of the majority population<sup>51</sup>.

The complaint of the Manglisi borough about the Christian-Adventist Transcaucasian Union's plans to build a sports/health center:

*"Considering the legal framework of Georgia, its constitution and the concordat regarding the impossibility of proselytism – imposition and spread of new religions – and also the tense politico-social background in Georgia and the clashes on religious grounds spread by the news agencies, we, the population representative of traditional religions and who live in the ancient historical part of Georgia*

<sup>51</sup> For example, see *City of Cleburne v. Cleburne Living Center, INC*, 473 U.S. 432 (1985)

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*where the first Christian church was built, will not allow the construction and demand that the attempts of the above mentioned religious group be terminated, in order to avoid conflicts now and in the near future and protect our constitutional rights.”*

### **2.2.3. Construction of the New Mosque in Batumi**

According to the Georgian Muslims of Adjara who were surveyed for this study, building a new mosque in Batumi is one of their primary needs. According to representatives of the non-governmental organization Georgian Muslims Union, the Batumi Mosque, the current place of prayer for the Muslim community, can no longer hold all the worshipers, and the community has been requesting the construction of a new mosque since 1995. The “Ortajame” Mosque has been functioning in Batumi since Soviet times. This mosque has been the assembly mosque since the 1990’s and the central Muftiate place of prayer since 1995<sup>52</sup>. Currently, Georgian Muslims are in negotiations with the representatives of the government of Georgia about the construction of a new mosque.

On April 8, 2012, Mufti Jemal Paksadze addressed the Prime Minister with an official letter, requesting to apportion land for the construction of a new mosque. On March 22, 2013 the community addressed the central government again, and on September 11 they also addressed the Adjara Government. Despite multiple promises from the government, the construction of the place of prayer has not begun. It is unclear where the mosque will be located or when the construction will begin. The government’s negative or evasive position throughout the years is one of the clearest examples of discrimination on religious grounds.

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<sup>52</sup> Ruslan Baramidze, *The Muslim Community of Georgia and State Politics (1991-2012)*, HOROSI XXI, Batumi, 2014

*“We began raising funds for the construction of Jame. I sold my own Niva for 4,500 GEL. We collect donations and keep accounts of all collected sums. If there’s a will to build the mosque together, and this has been promised to us by the Prime Minister [Bidzina Ivanishvili], we won’t be against it. We want to build the mosque with our [Georgian] funds, so that we are not accused again of being Turkish agents.” – Aslan Abashidze, Khulo regional Mufti.*

## **Recommendations**

To the Local Government Bodies:

- It is necessary that local government bodies demonstrate equal treatment of religious organizations and issue construction permits for cult and non-religious buildings within the legally specified time frame.
- It is necessary that the issue of construction of the Batumi Mosque be resolved positively and the lengthy tradition of discrimination against the Muslim population’s constitutional rights be put to an end.

To the Ministry of Regional Development and Infrastructure of Georgia:

- The ministry, together with the Public Defender and representatives of respected non-governmental, local, and international organizations, must conduct educational, explanatory events in the municipalities and other regional government bodies, with the purpose of improving standards of ethics and tolerance and maintaining religious neutrality.

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## 2.3. Transfer/Registration of Property

**Summary:** *Religious organizations are facing difficulties in attempts to register property rights for land under their ownership. In respect with religious organizations the State authorities often use discriminatory interpretation of regulations on Legal Entity of Public Law.*

*Additionally, it should be noted that according to the Law on State Property, the right to acquire public property is held by physical or legal persons of private law and in case of “Georgian Governments’ decision of a direct sale - also The Georgian Apostolic Autocephalous Orthodox Church”<sup>53</sup>.*

*The abovementioned law grants Georgian Orthodox Church, as opposed to other religious organizations, an exclusive right to engage into direct purchase of state property. The Patriarchy is also entitled to privatize state-owned agricultural land free of charge.*

### **Discussion:**

#### **2.3.1. Using Legal Regulations for Imposing Limitations**

Georgian Evangelical-Protestant Church in Gori requests that the building where the religious organization operates be transferred to its property. Since the space is not fenced off, incidents of physical and verbal assaults as well as discriminatory actions have increased. The Church addressed the State Ministry for Reconciliation and Civic Equality in 2013 with the request to transfer the building to their property. The request was transferred to the Ministry of Economics and Sustainable Development for deliberation.

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<sup>53</sup> Georgian Law on “State Property, N<sup>o</sup>3512–rs, 21 July, 2010, Article 2, paragraph 1



In January 2014 it became clear that Legal Entity of Public Law (LEPL) National Agency for State Property Management was prepared to discuss the issue of the Church using the space rather than transferring the property to it. The Ministry of Economics denied the Evangelical-Protestant Church in Georgia its request to transfer the church into its property. It based this decision on Article 3.1 of the Law on “State Property,” according to which state property cannot be bought by a LEPL, Georgian Orthodox Church being the only body with the LEPL status exempt from this law<sup>54</sup>.”

Such government interpretation of religious organization is discriminatory against minorities, since according to the July 5, 2011 Parliamentary amendment to the Civil Code (Article 1509), the law on Legal Entity of Private Law does not apply to religious organizations and leaves religious organizations in the domain of the Legal Entity of Public Law regulations. As a result, because of its content and purposes, the government should not have interpreted the Civil Code Article on registration of religious organizations in such a way that limits against Legal Entity of Public Law apply to the Evangelical-Protestant Church in Georgia.

According to representatives of the Evangelical-Protestant Church in Georgia, the Legal Entity of Public Law status is important because it implies that the government recognizes the equality of all religious organizations. Alternatively, another way to address the issue at hand might be to adopt changes to Article 3 of the Georgian law on State Property

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<sup>54</sup> Buyer of State owned property may be a Georgian or foreign citizen or Legal Entity of Private Law or an association of persons in which the share of State or the local self-government body is less than 25%, as well as non-entrepreneurial (non-commercial) legal person established by the state or by other person/entity and jointly established by the state and other person/entity, national bank of Georgia, or Georgian Apostolic Autocephalous Orthodox Church.

so that all religious organizations with LEPL status would be given the right to purchase property from the state.

### **2.3.2. The Need for Legal Counsel**

The study shows that religious minorities would benefit from qualified legal counsel when registering property. Several religious organizations are unable to register the land or buildings they own due to their inability to overcome legal barriers.

For example, the Pentecostal Church of Georgia encountered this problem when attempting to register its property in Kutaisi. The property includes a 576 sq. meter plot currently registered as State property but in use by the Church since 1998. However, the Church possesses no proof of ownership.

Because of the backdrop of religious intolerance and discrimination in Georgia, when purchasing the property the Church registered it under the Georgian representation for the German Christian aid mission called Nehemiah. In 2007, after the adoption of the law on “Recognizing property rights on land plots in use by physical and private legal persons“, the religious organization decided to register the residential building and land plot where the church is located under its own union called Ganakhleba.

According to representatives of the church, they were assured at the public registry that the property was not disputed and therefore there was no need to formally register it. However, in the meantime, the statutory limitation period instituted by the law on recognizing the land in lawful possession as property passed on January 1, 2012<sup>55</sup>. Had the organization

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<sup>55</sup> Law of Georgia on Recognition of Ownership Right to Land Plots in Possession (Use) of Physical Persons and Legal Entities of Private Law; Article 7.4 “Deadline for approving ownership rights to land plots in possession (use) by

received timely legal counsel, it would have managed to register the property before the specified deadline.

The Evangelical Church, Word of Life, encountered similar issues regarding property registration. The organization did not manage to acquire property rights to a small land plot around the prayer house in its use.

The Molokan Russian-speaking community also needs legal advice on resolving its property issues. Currently, the prayer house, located in Tbilisi, on 99 Daisi Street, is under dispute.

Frequently, the process of registering land plots in possession of religious minority groups is drawn out and employees of the Public Registry do not supply their representatives with necessary information in a timely manner.

For the past several months the Armenian Catholic Church has been trying to obtain information on the identity of the proprietor of the land in the Church's use. The religious organization seeks registration of property rights to 17 functioning churches located in Georgia.

## **Recommendations:**

To the Parliament of Georgia:

- Since the laws on Legal Entities of Public Law do not apply to the religious organizations with the status of Legal Entities of Public Law, and instead are governed by the regulations on Legal Entities of Private Law, the norm of prohibiting the transfer of possessions through

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Legal Entities of Private Law. After January 1, 2012, Legal Entities of Private Law lose the right to the recognition of land plots in their lawful or illegal possession (use). After this date, the land plot can be acquired through the state property privatization general rule.”

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direct purchase should not be applied to the religious organizations with the Legal Entities of Public Law status. However, in order to avoid multiple interpretations, it is necessary that the Article 3 of the State Property Law be amended to state that the prohibition of transfer of possessions through a direct purchase does not apply to the religious organizations with LEPL status<sup>56</sup>.

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<sup>56</sup> Public Defender addressed the Parliament of Georgia with a similar recommendation. See the Public Defender 2013 report accessible at: <http://www.ombudsman.ge/uploads/other/1/1563.pdf>

### 3. Discrimination in Public Educational Institutions

**Summary:** *Representatives of nearly all religious organizations note that despite the secular and liberal legal regulations<sup>57</sup>, discrimination on religious grounds at public educational institutions is one of the most prominent issues. Instances of proselytization is frequent in public schools, where members of school administration and teachers initiate taking students to churches and cermons, collective prayer, display of religious symbols for non-academic purposes, and set up of prayer corners. It has also become a common practice instituted by school administrations to invite Christian religious representatives for sermons and conducting religious rituals (blessing, consecration, public prayer). Worst of all, teachers and students humiliate members of religious minorities and there are reports of instances of indoctrination such as attempts to baptize students belonging to other religious confessions.*

*Georgian Language and Literature and History textbooks do not teach culture of toleration and respect of those with different beliefs. As a rule, rather than depicting the rich historical and cultural significance of the non-dominant religious confessions in Georgia, teachers and textbooks hide this heritage.*

*Furthermore, the national academic calendar does not consider religious minority interests, protected by Georgian legislation.*

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<sup>57</sup> According to the Article 13.2 of the Georgian Law on General Education adopted on April 8, 2005, it is forbidden to use the public school educational process for the purposes of religious indoctrination, proselytization, or forced assimilation.

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*Finally, parents of students belonging to minority religious confessions avoid shedding public light on the problem public due to their fear that showing resistance might further deteriorate their child's treatment. For these reasons, public education of Georgia must undergo total desecularization.*

**Discussion:** According to the respondents interviewed for the study, one of the most problematic issues in public schools is the practice of collective Orthodox prayer, in which members of minority religious confessions unintentionally participate as well.

*“There were instances of mass Communion [at the Gori #12 Public School]; They took students to church for Communion on a voluntary basis. They say this was voluntary, but those who don't go are stigmatized” – says Shmagi Chankvetatdze, the Evangelical-Protestant Church pastor.*

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*“My niece told me a year ago that she shouldn't go to school wearing trousers on Friday. It appeared that on Fridays, when they were supposed to have a gym class, the teacher regularly canceled the class and took students to the nearby church” – says Rusudan Got-siridze, the bishop of Evangelical-Baptist Church.*

Respondents also report cases of confessional ranking. Students belonging to the religious organizations that were established relatively recently are victims of greater aggression. Teachers and students frequently use epithets such as “sectant” and “Jehovah” as insults. Jehovah's Witnesses are the most marginalized religious group and are treated with hatred and discrimination both, by members of school administration and teachers as well as by students.

That said, instances of intolerance are observed against the so called “traditional” religious confessions as well. For example, Orthodox Christians of the Adigeni municipality village at times refer to Catholics in a negative context as the “Papists.” There are multiple instances of teachers and school administration members treating ethnically Georgian Muslims with humiliation, calling them “Tatars,” faithless,” and “enemies,” and tell them to convert back to “the faith of their ancestors.”

*“Sectarianism is betrayal of the motherland – a teachers told a child of one of the members of our parish” – Shmagi Chankvetadze, pastor at Evangelical-Protestant Church.*

*“We knew about a multi-sibling family in village Tianeti with income below poverty threshold. Members of that family belong to our parish. We decided to ask a television broadcaster to feature them in their program so that the family could receive aid from appropriate governmental or non-governmental entities. In the mean time, we found out that the Director of the school spoke with one of the children and said that it was embarrassing that the child was sectarian. The Director told the child to get baptized in a Christian Orthodox church if he/she wanted the TV feature to be shot. Residents of the village make statements like this, that we are poor because we’ve gone astray” – Lela Khonelidze, Head of the Public Relations department at Georgian Pentecostal Church.*

*“There was an instance in the Ude #2 Public School of a nun preaching during a history lesson that Catholics are torturers. Parents must confess, or else their families would go extinct” – Father Mikheil Surmava,*

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*Caucasian Latin Catholic Apostolic Church Administration.*

According to the survey conducted by TDI, Georgian public school teachers, as a rule, don't discuss the use of religious symbols as a violation of Law on General Education and the principles of neutrality. For them, public display of religious symbols on the school territory serves legitimate aims.

*“Students initiated creation of a corner of icons in several classrooms. I think that forbidding students to do this in Mtskheta is unjustified” – Nana Bokhua, Director of LEPL City Mtskheta #2 Public School.*

*“Since 1998, when Religion was taught as an academic subject in schools, they have placed religious symbols such as Karibche Mother of Christ icon, Jesus Christ, Saint George, icon of King Tamar, Archangel, Saint Nikoloz and Palm Day icons in 12 square meter rooms, The existence of the above-mentioned religious symbols serves the purpose of celebrating holidays and historical dates, as well as holding events that serve the establishment of national and general values” – A. Burchuladze, Director of LEPL City Tbilisi #213 Public School.*

*“There are religious corners in classrooms as a result of student requests and the school yard also hosts the Church of Saint Gabriel” – Nugzar Chakvetadze, Director of LEPL City Kutaisi #11 Public School.*

*“...we've created a small place for prayer on the first floor of the school. It's one of the teaching resources and contributes to meeting the goals and standards of the science National Curriculum” – Ketevan Abuladze, Director of City Tbilisi #126 Public School.*



Despite the scale and systemic nature of religious discrimination in public schools, identification of legal violations is complicated by the fact that parents of students belonging to minority religious confessions refrain from addressing the Ministry of Education and Science of Georgia and human rights organizations with complaints<sup>58</sup>. According to them, this will only complicate the state of things and will lead to their children being stigmatized.

Another challenge that hinders precise description of the situation at hand is that in accordance with the Article 13.2 of the Georgian Law on General Education, the Ministry of Education and Science does not keep statistics on appeals against legal offenses committed by teachers.

As a result, the Ministry does not hold any information on the disciplinary punishment served by teachers for legal offenses.<sup>59</sup> TDI conducted a nation-wide survey at forty schools and none of them confirmed the existence of appeals against teachers.

**Consideration of the interests of religious minorities in school calendars:** There is another problem in addition to the clear violations of the Law on Public Education in school space and during the educational process – development of the academic calendar at educational institutions. Some respondents inform that the Ministry does not consider interests of some religious followers when scheduling national exams and school olympics. For example, Seventh-day Christian Adventists have a holiday every Saturday and believers are not participate in secular activities. According to the church pastor, Boris Charaia, exams are frequently

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<sup>58</sup> According to the Article 12.1 of the Georgian Law on Public Education, students or their parents have the right to challenge the illegal actions of the teacher and the school.

<sup>59</sup> Letter sent by TDI, registration number: #120792, 04.03.14. In the letter we requested 2010-2014 statistics.

held on Saturdays. Despite the recommendations of the Tolerance Center under the auspices of the Public Defender, the religious organization has to file official requests to treat the absence from the examination as excusable or to move the examination to another date on an individual basis with each instance.

## **Recommendations**

To the Ministry of Education and Science of Georgia<sup>60</sup>

- It is necessary to create a special monitoring and response group in order to reveal instances of proselytization, indoctrination, and display of religious symbols for non-academic purposes. Ministry of Education and Science, Public Defender, and non-governmental organization stakeholders can join their efforts in doing so.
- The monitoring group should deliver information on religious discrimination to the appropriate law enforcement agencies.
- The monitoring and response group, together with the appropriate experts, must develop guidelines for public school directors and teachers, providing specific instructions for protecting religious neutrality and promoting a tolerant environment.

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<sup>60</sup> In 2012, Council of Religions under the auspices of the Public Defender of Georgia recommended that “The Ministry of Education must develop guidelines for school directors based on the Law on General Education about how to make the school environment neutral in terms of religion.” Also, representatives of the religious minority groups recommend an initiative to demand a standard for school directors to possess diversity management and intercultural education knowledge and skills. Representatives of religious minorities express the necessity of such actions in the survey conducted for this study as well.

- The group must report annually on the situation at public schools.
- The Ministry of Education and Science of Georgia must develop an action plan for performing active work on protecting religious freedom and establishing the culture of tolerance in public schools. It must hold events encouraging the culture of tolerance, student and teacher conferences, contests, quizzes, discussions, etc.
- LEPL National Center for Teachers' Professional Development continuous professional development programs must have an improved interconfessional and intercultural component.
- It is necessary to evaluate teachers' attitudes toward toleration as a part of the Teacher Certification Examination.
- It is necessary for the Director's Standard to include the demand for candidates to possess skills for provision of intercultural education and creation of a tolerant environment.
- It is necessary to revise textbooks of Georgian Language and Literature, History, Culture, and Civic Education and relay to students neutral and balanced information; it is necessary for these textbooks to reflect tolerant ideas and principles of religious-ethnic diversity. The study of History, Literature, Culture, Civic Education, and various fields of Art should serve the development of respect toward diversity and tolerance rather than the spread of intolerance.
- It is important that a clause on satisfying criteria for including content geared toward developing non-stereotypical and diverse thinking be included in the pro-

cess of textbook approval. Textbooks that do not satisfy these criteria should be denied approval.

- It is necessary to create an expert group geared toward monitoring the changes in the textbook approval criteria. This group is to cooperate with the Public Defender and with stakeholder non-governmental organizations. The group will evaluate the degree to which textbooks reflect cultural and confessional diversity and will put forward recommendations toward the next editions of textbooks.

## 4. Religious Policy of State

**Summary:** *According to the representatives of religious minorities, it has been clearly noticeable recently that the state has the desire to strengthen mechanisms of their control, something that may also be evidenced by the creation of the new state structure, State Agency on Religious Affairs.*

*The majority of representatives of religious organizations state that the state makes decisions on a variety of religious minority issues without consulting them. The state's recent step in this direction may be evaluated as an expression of the state's desire to intervene into the freedom allotted to the religious organizations.*

*Georgian state politics toward Muslims has become especially troubling, which seems to view its role as a guarantor of safety in an especially peculiar exclusive context, where it does not guarantee the rights and freedoms of all people, specifically of Muslims.*

*According to respondents, the state is filled with distrust toward Muslim citizens, expressed through systemic discrimination against Muslims and the creation of concrete barriers for them, large-scale violations of their rights, and interference in the internal affairs of the Muslim community.*

*Another serious problem, having an extremely direct negative influence on the state politics toward the minorities, is the state's biased attitude toward the dominant religious union, which frequently results in conforming to the will of the Patriarchate and violating the constitutional principle of secularism.*

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*The state, as a rule, places the Patriarchate's clearly expressed interest to limit the scope of religious minorities as much as possible, above the rule of law and the principle of protecting human rights and freedoms.*

## **Discussion:**

### **4.1. Formation of State Structures on Religious Issues**

In February 2014, Georgian Government founded the State Agency on Religious Affairs. It is noteworthy that the state founded the agency unilaterally, without consulting a wide range of religious organizations, Public Defender, or non-governmental human rights organizations geared toward protecting the rights of religious minorities<sup>61</sup>. It must be noted that none of the international or local organizations have ever recommended that the government create a state agency dedicated exclusively to religious issues.

Prior to this decision, on November 2014, the government created an Inter-Agency Commission to study issues pertaining to the various religious organizations. Its regulations, based on the task force's aims and tasks, contained risks of limiting religious freedom and violating the principle of secularism.

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61 On April 30, 2014 the Council of Religions under the auspices of the Public Defender of Georgia and non-governmental organizations addressed the government, requesting that religious organizations be included in the process of selecting the Chair of the State Agency on Religious Affairs in order to add legitimacy to the Agency. The statement is accessible at <http://bit.ly/1jmJrnZ>. On the day the statement was disseminated, the Prime Minister appointed Zaza Vashakmadze, a lawyer who in 2013 made discriminatory statements about Jehovah's Witnesses on television, as the Chair of the Agency without consulting the civil society. TV program Kviriake, theme "Religious Freedom," guest Zaza Vashkmadze, 10.02.2013, The TV program is accessible at: [http://www.myvideo.ge/?video\\_id=1925806](http://www.myvideo.ge/?video_id=1925806)

Based on its mandate, the task force was to study financial sources of religious organizations, their educational activities, public service and public religious processions, as well as their property issues; it was also to develop regulatory norms for cult and non-religious constructions. State Minister of Reconciliation and Civic Equality was appointed as the Chair of the task force<sup>62</sup>.

It is also notable that government representatives have never mentioned the issue of accountability of the Patriarchate in any of their statements on the abovementioned structure – whether the agency would also study the purposefulness and rules of disposal of millions of GEL and property transferred to the Patriarchate of Georgia.

## **4.2. Intervention into the Internal Affairs of the Muslim Community**

According to some of the representatives of the Muslim union, the government interferes with the internal affairs of the Muslims, controls their activities with the help of the Ministry of Internal Affairs, and institutes new informal regulations.

On January 9, 2014, by the founding meeting resolution of the Administration of Muslims of All Georgia the Muftiate was divided into the Eastern and Western Muftiates, the Sheikh

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<sup>62</sup> Toleration and Diversity Institute (TDI) requested information on the activities of the task force from the Ministry of Reconciliation and Civic Equality. According to the supplied document (Letter # 153-G, 20.02.2014), from December 13, 2013 until January 24, 2014 the task force held five meetings and developed two resolution projects on “rules on some of the events to be held for the partial recovery of damages inflicted upon religious unions existing in Georgia during the Soviet totalitarian regime” and on “creating and approving the regulation on creating a state agency on Legal Entities of Public Law – religion.” Georgian government approved the former on January 27, 2014 and the latter on February 19, 2014.

Institute remaining separate from them. Jemal Paksadze became the Mufti of the Western Georgian Sunnis, while Iasin Aliev became the Mufti of the Eastern Georgian Sunnis.

According to the representatives of the Muslim community, the new government not only repeated the previous government's mistake and interfered in the internal affairs of the Muslims in 2014, but also divided Georgian citizen Muslims on the basis of their ethnicity and, as a result, increased the risk of an internal confrontation and deepened the distrust toward the government.

The government arbitrarily dismissed Vagip Akberov, the previous leader of the Georgian Shiites, (according to the representatives of the government, the Sheikh addressed the Council of Religions with a resignation request) and appointed the new Sheikh, Ramin Igidov, and once again did not give the Georgian Sunni Muslims the opportunity to freely elect the Mufti.

According to the Georgian Muslims surveyed for the study, they were demanding the appointment of the new Mufti through elections. The dissatisfaction with the Administration of Muslims of All Georgia among the local community had increased as a result of displays of religious intolerance and extremism in the past two years, as the Mufti was frequently accused of loyalty toward the government.

Currently, Taniel Nakaidze, the Chair of the non-governmental organization Georgian Muslims Union states that the existence of the Administration of Muslims of All Georgia with its current members is unacceptable for them, since the organization does not uphold the interests of the Muslim community and "is composed by individuals with no connection to the religion."



### **4.3. The Problem of Crossing the Border**

According to the Muslims residing in Adjara, they frequently encounter problems when crossing the border into Georgia while returning from Turkey or Arab-speaking countries. The Customs representatives at the Sarpi border look at girls with headscarves with suspicion, question them, and keep them at the border for a long time. Chechen refugees note the same problem. According to Rustam Gakaev, a student at the Ilia State University, he frequently has to visit his relatives in Chechnya and, when returning to Georgia by car, he is always stopped at the border for approximately two hours. According to the Muslims questioned for the study, Customs employees do not usually provide specific reasons for the delay.

Kist and Chechen Muslims residing in the Pankisi Gorge experience regular religious discrimination. According to a village Duisi resident, Imam Amir Khangoshvili, the Kists who received education in Arab countries are perceived as potential “terrorists” by the local government in the Pankisi Gorge. The Kists explain that the problem existed in the previous government as well, however, distrust toward them has increased significantly under the new government. According to Amir Khangoshvili, several businessmen from Arab countries attempted to initiate various infrastructure projects in the village Duisi, however the government did not allow them to do so.

### **4.4. Problems Regarding the Dissemination of Religious Literature**

Religious minorities sometimes come across difficulties while attempting to bring religious literature into the country. Armenian Catholic Church representatives note that they come across difficulties with Customs clearance when trying

to bring in religious calendars. Calendars are printed in Armenia and are in the Armenian language. Customs employees have denied union representatives the right to bring in the literature on several occasions. On December 24, 2013, the Archbishop of the Armenian Catholic Church, Raphael Minasian, addressed the Office of the State Ministry of Reconciliation and Civil Equality in order to receive aid in solving this issue. The religious union received a response to the letter on February 19, 2014. The Customs Office of the Revenue Service explained that despite the fact that according to the Article 168 of the Tax Code, books, journals, newspapers, and notes are tax exempt, the imported items needed to undergo Customs procedures and the Church must present documentation. According to them, the literature was sent back because the importers declined to do. The Customs department letter does not specify what kind of documents the Customs employees were demanding. According to the representatives of the Church, to this day they have not been able to identify why they encounter issues when importing religious literature.

## **Recommendations**

To the Government of Georgia:

- Considering the importance of separation of state and religion, protection of constitutional principles of religious freedom and equality, and democratic participation in decision-making, the Government of Georgia must cease making decisions on religious minorities behind closed doors.
- It is necessary that the government consider the position of Council of Religions under the auspices of the Public Defender and non-governmental organizations

on public discussions of the mandate, aims, and strategy. It is important to ensure participation of all religious organizations and stakeholders in the discussion process and perform this process in a transparent manner, therefore through consultations with relevant stakeholders<sup>63</sup>.

- If necessary, the government should revise past decisions and, with the aim to support civic integration in Georgia and improve the environment of toleration, it should carry out recommendations of the Council of Religions under the auspices of the Public Defender and European Commission against Racism and Discrimination (ECRI).
- It is necessary for the law Enforcement agencies to study problems and limitations placed on movement of Muslims and distribution of religious literature at Custom points and to provide timely responses to official correspondence.

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<sup>63</sup> Council of Religions under the auspices of the Public Defender and non-governmental organization's statement on the State Agency on Religious Affairs is accessible at: <http://bit.ly/1LJQMjf>

## 5. Funding of Religious Organizations

**Summary:** *The current form of funding religious organizations is discriminatory in its nature. Despite the fact that the government funds four religious unions in addition to the Patriarchate of Georgia, it does not manage to eradicate the existing problem with the prior discriminatory rule of funding.*

*Other religious organizations were left without funding, which will encourage government's bad habit of ranking confessions and will contribute to the further marginalization of other religious organizations and the strengthening of discriminatory attitudes toward them.*

*Also, the rules for funding are very problematic, because they can be used by the government as a mechanism for controlling religious organizations and obtaining influence over them.*

*Finally, the mandatory motivation of subsidized funding for damages caused to religious organizations during the Soviet period is questionable, when the religious organizations themselves prefer moral recognition and the return of the cult buildings to financial compensation for the damages.*

### **Discussion:**

#### **5.1. Deficiencies in the Resolution on Compensating Material and Moral Damages Inflicted Upon Religious Organizations During the Soviet Period**

According to the January 27, 2014 resolution, the Government of Georgia decided to “compensate Islamic, Jewish,

Roman-Catholic, and Armenian Apostolic religious organizations registered as Legal Entities of Public Law for the material and moral damages inflicted upon them during the Soviet period.”

According to the Government of Georgia February 19, 2014 #177 Resolution, LEPL State Agency on Religious Affairs was named as the structure responsible for issuing the sums. According to the Government’s March 13, 2014 (#437) Order, the state reserve fund issued 3.5 million GEL for four religious organizations<sup>64</sup>.

According to the same Order, the State Agency on Religious Affairs was ordered to divide the sums in agreement with the Ministry of Finances. That said, according to the representatives of religious organizations it is unknown to them when and under what mechanisms the subsidies will be issued to them.

The government initiative to fund additional four confessions is unfair and discriminatory due to several significant deficiencies<sup>65</sup>:

1. The government developed this resolution without consulting with a large of religious organizations or the recommendations of the Public Defender.
2. It is unclear on what criteria the selection of only four confessions was based, when Yezidis, Lutherans, Pentecostals, Jehovah’s Witnesses, Krishnaites and members of other religious groups were also persecuted in

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64 On January 27, 2014, State Minister of Reconciliation and Civic Equality, Paata Zakareishvili, announced that religious organizations would receive annual amount of 4.5 million GEL with the aim to compensate them for the material and moral damages. Accessible at: <http://www.tabula.ge/ge/story/79517-zakareishvili-religiuri-konfesiebi-daaxloebit-45-milion-lars-miigheben>

65 The evaluation at hand expresses the position of the Toleration and Diversity Institute (TDI)

the Soviet Union. The four religious groups selected by the government are perceived as organizations of a privileged status. By modeling funding of religious organizations in such a way, the government demonstrates unequal treatment of religious organizations in Georgia. It is noteworthy that some of the religious organizations express dissatisfaction over the government initiative<sup>66</sup>.

3. The model of material and moral compensation proposed by the government is legally absurd. Realistically speaking, it describes a rule of annual financing of four religious confessions, action that qualitatively has no connection with compensation of damages. The government did not develop objective criteria according to which to determine historical and institutional inheritors of the religious organizations affected during the Soviet period. Also, the amount and duration of funding to the religious unions for damages inflicted upon them is unclear.

Based on its last resolution, the Catholic Church in Georgia is declining to accept the government funding until the inequality found in the funding model is eliminated, and other religious organizations that have not been offered compensation by the government are also able to receive compensation for damages inflicted upon them during the Soviet period.

It must be noted that direct funding of religious organizations by the government is generally problematic when the use of the funds provided by the state budget by each religious organization remains unknown<sup>67</sup>. With this initiative,

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66 Georgian Evangelical-Lutheran Church Bishop's address at the annual Church reception, Accessible at: [http://tolerantoba.ge/index.php?news\\_id=556](http://tolerantoba.ge/index.php?news_id=556)

67 More democratic models of funding minimize the government role in financing religious organizations and consider interests of all tax-payers to fi-

instead of deconstructing previous unequal legal regime, the government made some within the same regime.

## **5.2. Financial Privileges Granted to the Patriarchate of Georgia**

Over more than ten years, the Patriarchate of Georgia has been benefiting from privileges granted to it by the Government of Georgia. In addition to the subsidy of 25 million GEL dioceses and churches and monasteries under its control receive from the state budget, they also receive annual funding from local government bodies, government foundations, and ministries<sup>68</sup>.

Financial privileges granted to the Georgian Patriarchate. It has been over ten years that the Georgian Patriarchate is using financial privileges. In addition to 25 million- subsidized from the state budget, dioceses and churches under the supervision of the patriarchate are receiving annual funding from local governments, state funds and ministries.<sup>69</sup> In

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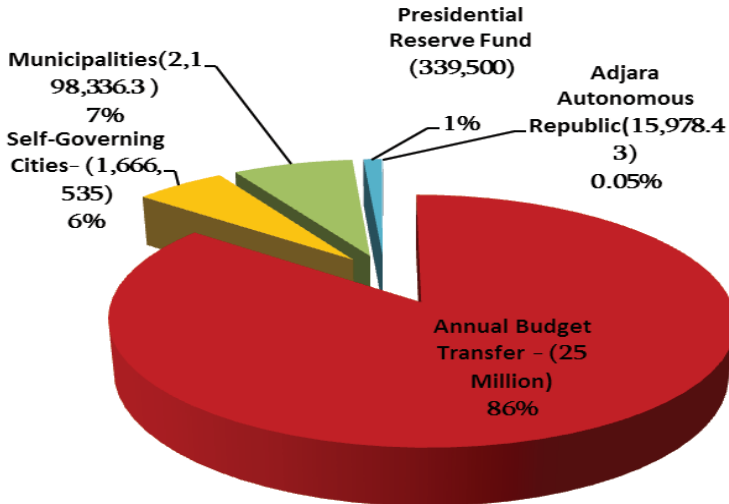
nance their own religious unions, whether secular or not. To do so, citizens fill out a relevant graph in their tax forms and direct their income tax purposefully. In the United States, the government allows grants from its Federal budget, however in order to acquire these funds, religious and secular groups compete with each other. Funded fields and aims are strictly defined – the funds may be used only for social projects and not for proselytization, religious teaching, or services.

68 According to the information supplied by the non-governmental organization Transparency International – Georgia, from 2002 to July 2013, Government of Georgia provided the Patriarchate of Georgia with up to 200 million GEL. „An overview of public financing provided to the Georgian Patriarchate,” Accessible at: <http://transparency.ge/en/blog/overview-public-financing-provided-georgian-patriarchate>

69 According to the non-governmental organization Transparency International the amount of funds received by the Patriarchy from the state from 2002-July 2013 equals to 200 million GEL. „An overview of public financing provided to the Georgian Patriarchate available at: :<http://transparency.ge/blog/mokle-mimokhilva-sakartvelos-sapatriarkos-dapinansebis-she>

2013, the Patriarchate received 29,220,349.7 GEL in total from the state budget. The funding is described in the diagram below:<sup>70</sup>

Diagram # 1:



Source: Study on the state funding of religious organizations, conducted by Tolerance and Diversity Institute (TDI) and Human Rights Education and Monitoring Center (EMC)

The state funding data of religious organizations issued by municipalities and self-governing cities indicates that the Georgian Patriarchate has an absolute privilege in comparison to other religious groups. In 2013, the orthodox eparchies and churches received 99.2%- 3,896,139 of the total amount allocated by the municipalities and self-governing cities, while the funding provided to other religious denominations amounted to 31,268.16 GEL, making 0.8% of the total amount.

sakheb?page=1

<sup>70</sup> For more details see Tolerance and Diversity Institute and Human Rights Education and Monitoring Center Study on the State Funding of religious organizations.



69.5% of the municipalities allocate funding from the specific sub-programs designed for aiding religious organizations. It is particularly interesting that the biggest sum of funding provided to the Patriarchate comes from municipalities with mixed religious composition, Bolnisi and Marneuli, where the majority of the population is not orthodox. It should be emphasized that in addition to eparchies and churches, allocated money is sometimes transferred directly to the bank accounts of the orthodox clergy. Three out of five self-governing cities have funding of the Patriarchy prescribed in their city-hall budget.

The most problematic part of the state model for funding the Patriarchate is defining purpose for the funds. It is unknown for what purposes the Patriarchate is using more than half of the subsidy. Sometimes the documents received from municipalities and self-governing city halls under the public information requests specify the purpose of the fund transfer. According to these documents, the Patriarchate is using funding for religious purposes while only 1% of the money is allocated for the social projects. Among the target categories the biggest share is used for church constriction /restoration and decoration works (19%). Purchase of religious objects and organizing events takes up 8% of the total amount. The priorities do not change in the case of funds allocated by the self-governing city halls, almost 55 % of the funds are spent on construction/restoration/decoration works. The purpose of 44% of the remaining funds is not indicated in the documents.

It is interesting that the municipalities and Tbilisi district administrative bodies claim that the allocation of funds are based on individual inquires and letters submitted by the clergy. Based on the analysis of these submissions, it appears that the clergymen frequently do not indicate any purpose

and without providing justification request for example subsidy in the amount of 25,000 GEL.

In addition to financial assistance, the Patriarchate receives various types of material goods from municipalities and self-governing cities: land plots, squares, buildings and movable property. In 2013, municipalities and self-governing cities transferred 32,479 square meter non-agricultural land to the patriarchate while total area of the non-agricultural land and the buildings constructed on them amounts to 1,584.65 square meters.

As for the movable property, in 2013, their total value equals to 192,742 GEL( 175,042.09 GEL worth of decorative lights, garden benches, trash bins, flower pots and used building materials; 1,500 GEL worth of fuel; 16 200 GEL bus) in 2014 13,400 GEL (2 cars).

The increased tendency of immovable property transfers should also be noted: total area of property transferred to the Patriarchate in 2013 by self-governing cities and municipalities (includes only non-agricultural lands and squares counted according to sq/m) is more than the total for 2009-2012.

It is notable that the current form of financial relationship between the government and Church contradicts the principle of secularism recognized by the Constitution and takes the form of supporting a specific religious doctrine. The current rule of funding has transformed into a clearly discriminatory practice because it puts other religious organizations in a state of inequality by not allowing them to benefit from financial privileges and ideological support.

Finally, the practice of allocating funds to the Patriarchate and various churches is not transparent, the government does not provide appropriate control over the Church's spending,

and, as a result, it is unknown how the government funds are being spent.

## **Recommendations**

To the Government of Georgia:

- Begin consultations on compensating damages to religious organizations with a broad range of religious organizations, Public Defender, and non-governmental human rights organizations that work on religious freedoms. If need develops as a result of such consultations, Government should revise past resolutions.
- With the aim of protecting the principle of secularism, it is important that Government develops mechanisms needed for managing transparency of management of funds allocated to the Patriarchate by the Government and controls the aims for which the funds are spent.

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## 6. Tax Inequalities

**Summary:** *Based on the tax regulation, religious minorities located in Georgia receive unequal treatment in comparison to the Patriarchate of Georgia<sup>71</sup>. A new Tax Code was adopted in Georgia in 2011, which notes that religious activities<sup>72</sup> are not economic activities (Article 9), which implies instituting certain benefits for religious organizations. That said, the tax regime is discriminatory toward religious*

71 In 2012, Council on Religions under the Public Defender developed recommendations on the issue at hand.

72 Article 11 of the Tax Code defines religious activities:

Article 11. Religious Activities

1. Religious activities shall be considered to be the activities of a religious organization (association) registered according to an established rule purpose of which is to spread confession and religion, including using the means, such as: a) organizing and holding religious rites, ceremonies, prayers, other cultic activities; b) enabling the religious people to have or use prayer house buildings and ceremonial structures to satisfy religious needs jointly as well as individually; c) organizing reception and departure of the religious delegations, pilgrims, representatives of various confessions, organizing national and international religious conferences, congresses, seminars, provision of hotels (other accommodation), transport, meals, and cultural services in the course of such events; d) maintenance of monasteries, monastery churches, spiritual educational institutions, teaching of students and attendees of these spiritual and educational institutions, maintenance of charitable organizations (hospitals, shelters, houses for the elderly and the disabled), as well as other similar statutory activity conditioned by the canonical rules.
2. Activity of those enterprises of religious organizations (associations) to publish religious (religious service) literature or produce religious items; the activities of these organizations (associations) or their enterprises connected with the realization (dissemination) of religious (religious service) literature or religious items; as well as the use of the funds received from the above activities for performing religious activities shall be regarded as equal to religious activities.

Chapter 33. Religious Organization

A religious organization shall be an organization that has been established for the purpose of carrying out religious activity and has been registered as such according to the procedure prescribed by legislation.

*minorities because the legal change exempts only the Patriarchate of Georgia from taxation*<sup>73</sup>.

**Discussion:** Representatives of religious minorities surveyed for the study stress the special need for the creation of equal tax conditions and benefits. In that case, religious organizations would be able to cut their expenses significantly and at the same time, strengthen the component of social services and charity in their activities.

**Profit Tax:** According to the Tax Code of Georgia (Article 99), “profit gained from realization of the crosses, candles, icons, books, and calendars used for religious purposes by the Patriarchate of Georgia is exempt from the tax.”

This norm might be interpreted in two ways: 1) The production of above mentioned goods by the Patriarchate benefits from the profit tax exemption. Such interpretation of the law lacks sense, since the profit acquired from selling goods intended for religious purposes is exempt from the tax according to the 11<sup>th</sup> (religious activity) and 96<sup>th</sup> Articles of the Code and this norm is applied to all religious organizations. 2) The law exempts from tax the profit acquired through the production of above mentioned goods by other manufacturer, if these goods are used for religious purposes by the Patriarchate. In this case, those companies which sell their products of religious purposes to the Patriarchate, might not be subject to 15% tax.

**Value-Added Tax (VAT):** Article 168 of the Tax Code explicitly states, that the Patriarchate of Georgia is exempted for the VAT without the input VAT rights for the supply of crosses, candles, icons, books, calendar and other religious items, that are exclusively used for religious purposes (paragraph 1(f))<sup>74</sup>. Moreover, Article 168.2(b) states that construction,

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<sup>73</sup> See the 2011 Report of the Public Defender

<sup>74</sup> 3The transfer of rights to goods by a person to another person at a charge

restoration and painting of cathedrals and churches at the order of the Patriarchate of Georgia are also exempted from VAT without the input VAT right. According to this Article, if the Patriarchate orders a particular company to implement above mentioned activities on the immovable property of religious purposes, the company does not pay VAT. However, if the same order is given by another religious organization, the same company is obliged to pay VAT. Stemming from above, construction, restoration and painting of the Patriarchate's worship houses might cost 18% cheaper.

**Land Tax:** As for the land tax, the Tax Code of Georgia does not provide for differential regime of taxation and does not exempt religious organizations from it. The Tax Code contains no exception for the Orthodox Church of Georgia. However, the Constitutional Agreement makes difference here, as it states explicitly: "The Land... of Church is exempt from taxes" (Article 6). Therefore, despite the lack of tax exemptions for the Orthodox Church in the Tax Code, exemption is guaranteed by the superior normative act – Constitutional Agreement and in respect of the land tax, the Orthodox Church benefits from significant financial advantage in contrast to other religious organizations, which pay the land tax.

## Recommendations

To the Parliament of Georgia:

The Parliament of Georgia must take actions to eliminate the unequal tax regime for all religious organizations. For this it must:

- Tax all religious organizations equally as Georgian Orthodox Church.

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(including the sale of goods, barter, reimbursement through salary or in-kind) or gratuitously shall be regarded as a supply of goods.

## 7. Utility Bills of Religious Organizations

**Summary:** *A large number of religious organizations in Georgia offer various charity services: day care centers, shelters for children and the elderly, etc. Although these organizations do not engage in commercial activities, they pay utility bills at rates established for commercial establishments.*

**Discussion:** According to representatives of the Salvation Army in Georgia, tax benefits allow them to expand the scope of their charity work.

*“We have a project called Laundry. Poor people, especially the elderly without care, bring their laundry to us. We buy detergent and they wash their laundry in our washing machines. While they wait, they drink coffee, have some cake, and have fun. But we pay the same fees for the water as a restaurant... It would be nice to receive tax benefits. The more funds we have, the more we can do,” explains Irma Nebieridze, the Salvation Army Regional Officer.*

*Evangelical-Baptist Church has a day care center for children lacking social protection in Georgia, where approximately 15 children eat meals after school and do their homework. The Church also operates a shelter for street children, where children eat meals and learn to read and write.*

*“Tax benefits would allow us to use all our funds to help the children,” states Archbishop Ilia Osepashvili.*

The Georgian Patriarchate and Azerbaijan Oil Company “SO-CAR” concluded a memorandum on 19 October 2013, stating

that all religious denominations in Georgia be provided with natural gas for free during one year. SOCAR refused to provide the Tolerance and Diversity Institute any information regarding the memorandum. The representatives of religious organizations surveyed said that they are still unsure whether they will be reimbursed the costs of natural gas consumption. The representatives of the Jehovah's Christian Organization were told by the Ministry of Energy that they were not included in the list of religious organizations created with consent of Georgian Patriarchy and therefore were not entitled to free natural gas.

Other utility companies do not have any benefits packages for religious organizations, including the Georgian Orthodox Church. However, as practice reveals, a portion of the Orthodox Church's utility bills are covered by the government. For example, in 2013, 7 percent of the local municipality funds (2,198,336 GEL / 979,319.16 Euro) allocated to Orthodox Patriarchy was issued to pay utility bills.

It is noteworthy that only 1 percent of the funds transferred from Municipalities to the Patriarchy is allocated for social service and charitable activities.

## **Recommendations**

To the Georgian National Energy and Water Supply Regulatory Commission:

It is desirable that the Commission considers the recommendations of the Council of Religions, under the auspices of the Public Defender, about instituting utility benefits and instituting different payment rates from commercial organizations for those religious organizations that perform charity work.



## 8. Limitations on Public Space

**Summary:** *The analysis of the interviews gathered during the research, in addition to the latest developments in Georgia, indicate that the constitutional rights of religious minorities to declare their faith in public space, to perform religious rituals and disseminate their religion is constantly limited.*

*At first glance, it might appear that religious minorities have the right to “exist,” however, they should not be seen in public space, which is unambiguously considered a place belonging exclusively to the majority. Being in public space is perceived as opposing the religious ideology of the majority, in which there is no clear distinction between Georgian and Orthodox identities.*

*The representatives of the government, who rely on the majority’s legitimization, fail to protect the fundamental rights of religious minorities and to secure their free and equal access to public space.*

**Discussion:** The Orthodox Church’s attempt to monopolize public space can be demonstrated by the events surrounding International Festival of Hope 2014.

The event, which features local and international Christian Protestant Churches and many guests, was supposed to be held at the Tbilisi Sports Palace on June 6-8, 2014. As it turned out, the festival was not permitted to be held outside a church in public space.

The organizers of the event - representatives of the Pentecostal Church in Georgia - were faced with many obstacles, including an attempt to prohibit their advertising banners and flags. For example, several days before the festival, advertis-

ing company “Outdoor.ge” removed a large segment of the event’s outdoor advertising, despite a previously concluded agreement. It is important to note that a week before the event, the Georgian Patriarchate issued an official statement that disassociated the Orthodox Church from “the event organized by the Pentecostal Church” and that “it had nothing to do” with it. The statement did not mention that the Patriarchate supported preaching the gospel and that it respected the rights of various religious organizations to declare their faith in public space.

It can be claimed that the ambiguous statement of the Patriarchate intensified aggressive attitudes of religious fundamentalist groups towards religious minorities. Individuals participating in extremist activities called upon the Orthodox Church parish to “crush” the festival and threatened to build a “shame corridor” around the Sports Palace, so that anyone intending to attend the event would have to go through it.

In the end, the festival was not held at the Sports Palace. Just three days before the opening, a fire broke out in one of the wings of the building. Police officials told the press that the incident was being investigated under Article 187 of the Criminal Code, providing the liability for damage done to private property.

Meanwhile, the organizers of the event were refused the request to conduct an independent examination in order to determine the cause of the fire. Moreover, none of the alternative locations (Lokomotivi Stadium, Dinamo, the Circus, etc.) agreed to allow the Pentecostal Church to use their public space. Eventually, the three-day festival was held in the yard of a church accompanied by opposing demonstrations. It should be noted that the State Agency on Religious Affairs, which has a direct mandate to respond to actions motivated by religious intolerance, has never made any statements con-

cerning the harassment. Despite the fact that the government was well aware of the interferences, it failed to undertake any effective measures to support the festival.

A restriction on the use of public space took place during the celebration of Hanukkah on December 4, 2013, when the representatives of the religious majority tore down billboards and the minority religious community was not allowed to celebrate the event in a peaceful environment. That same evening, a group of Orthodox priests and parishioners held a protest in front of the Embassy of Israel. One of the clergyman told media, “We will never accept that in our streets, insulting our God was so openly sermoned.”

The Muslim community faced similar problems in the villages of Nigvziani, Tsintskaro and Samtatskaro when the Christians in each region demanded that the Muslims must pray in the privacy of their homes and that they cannot occupy public space. The dismantling of a minaret a in the village of Chela is the most severe case of Muslim rights violation and a restriction of their religious freedom.

## **Recommendations**

To the Government of Georgia:

- Declare important and key religious holidays of different confessions as state holidays.
- The head of the state and the heads of local government bodies should congratulate religious denominations on their religious holidays.

## 9. Religious Intolerance of the Georgian Orthodox Christian Clergy

**Summary:** *A majority of the respondents surveyed noted that the Georgian Orthodox Christian clergy are often the cause of aggression. Their hate speech and inculcation of stereotypes are later manifested in protests and actions taken against religious and non-religious buildings, charities and educational events.*

**Discussion:** Catholics living in the village of Arali complain that the Orthodox Christian clergy often use derogatory epithets against them, preaching that Catholics are heretics and advising Orthodox Christian students to refrain from enrolling in English Language and Computer courses funded by Catholic Charity organizations.

“They were distributing flyers here claiming that we are pedophiles and they should not let children participate in our camp. They preach to their congregation that we celebrate Christmas wrongly. There were occasions when we had some social project and they asked us if we had the blessing from Archbishop Theodore,” says Father Mikheil Surmava, village of Arali, South Caucasus Apostolic Administration of Latin Rite Catholics.

In 2010, an Arali Catholic priest encountered a problem with the administration of a local kindergarten. The charity fund Caritas wanted to give Christmas presents to kindergarten children; however, according to Surmava, the administration was under the pressure of the Orthodox clergy and refused to accept them. The organization was forced to suspend the implementation of several social projects in the kindergarten including: renovation of restrooms, distribution of Christ-

mas and Easter presents for children, stocking the children's room with supplies, etc.

The Salvation Army has repeatedly faced problems due to the Orthodox Church's interference against its varied humanitarian projects. The organization has eight branch offices in Georgia (in Lagodekhi, Rustavi, Tbilisi and Batumi) and implements various social and charity projects. According to Irma Nebieridze, a regional officer, the beneficiaries are instructed by the Orthodox clergy and frequently refuse to accept social assistance.

*"We wanted to open our center in Kutaisi, but they did not accept us. Orthodox Christian priests opposed us. We spent one year in Kutaisi, people showed up and they liked it. But later they called and said that priests forbade them to come. Kutaisi is very closed in this respect. It is much easier to work with an ethnically diverse population...There was one incident in Lagodekhi when beneficiaries were told by priests to stop going to protestants' centers, otherwise they would not receive memorial service when they died," says Irma Nebieridze, Regional Officer at the Salvation Army.*

Jehovah's Witnesses have been particularly targeted by the Orthodox clergy. In 2013, 46 offenses were committed against Jehovah's Witnesses and the Orthodox clergy participated in 3 of them (Tbilisi, Kaspi, Tskaltubo).

Jehovah's Witnesses, L.M. and N.S. allege that while worshipping on 13 August 2013, Orthodox clergyman "father Toma" verbally insulted and slapped them in the face. An investigation into the case was launched and the defendant identified. The case is currently in the City Court.

The second incident occurred on 6 October in Kaspi. Allegedly, Orthodox clergyman verbally and physically assaulted

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two Jehovah's Witnesses. A criminal case was opened under article 156 based on existence of criminal act.

The third time, on 11 December, Jehovah's Witnesses L. T. and S. B. accidentally knocked on the door of an Orthodox clergyman during his liturgy. When M.M.S. heard that the guests were Jehovah's Witnesses he started yelling, cursing and tore up their literature. The victims called the police. A written promise that he would not interfere in religious service of Jehovah's Witnesses was taken from M. M.S. However, after the incident, the clergyman assaulted another Jehovah's Witness. According to the lawyers of Jehovah's Witnesses, the clergyman stopped one of the Witnesses in the street, seized his bag and kicked him. The victim did not report the case to law enforcement officials.

The head of the Assyrian Chaldean Catholic Church, Benjamin Bethyadegar, also talks about the religious intolerance of the Orthodox clergy. The church is located on Kavtaradze Street in Tbilisi. The opening of the church sparked protests from an Orthodox congregation. On the opening day, the Orthodox Parents Union held a demonstration, holding banners with the inscription, "we condemn Vatican's aggression." The Catholic clergy were prevented from entering the building. According to Bethyadegar, the members of the Orthodox parish are still protesting with bibles and praying for the demolition of the church. Initially, there were no plans to build a fence around the church, but eventually, a three-meter high fence was built in order to protect the church from aggressors.

## **Recommendation:**

To the Ministry of Internal Affairs of Georgia:

- Considering that one of the most crucial challenges the state faces concerns religious intolerance and discrimination, it is unacceptable for the Ministry of Internal affairs to refrain from taking legal actions if clergymen commit offenses.

## Main Points of the Research

- **An increase in offenses committed on the grounds of religious intolerance**

During the last two years, offenses that include: religious persecution, physical and verbal abuse, and illegal interference in religious services directed against Muslims and Jehovah's Witnesses increased alarmingly. The sharp rise in acts motivated by religious hatred towards minorities is a result of the state's flawed policy. Investigative agencies are reluctant to open investigations under the proper provisions of law, entailing liabilities for criminal conduct. The impunity of offenders, including Orthodox clergymen and public officials, further encourages religious discrimination.

- **Restitution of the property confiscated during Soviet Union**

It has been over 20 years since five religious organizations: the Georgian Diocese of the Armenian Apostolic Church, South Caucasus Apostolic Administration of Latin Rite Catholics, Muslim community, Evangelical-Lutheran Church and Jewish Community are unable to retribute property seized during Soviet Union. Additionally, the state cannot or does not pay proper attention to important historical and cultural monuments - the vast majority of which are on the verge of deterioration or their façades are being purposefully changed.

- **Building structures for religious and secular purposes**

Religious minorities face systematic difficulties in gaining construction permits for buildings intended for both religious and non-religious purposes. Relative agencies frequently de-



lay, unlawfully refuse or simply suspend necessary construction permits. When religious minorities apply for construction permits their private property, representatives of the religious majority instructed by the Orthodox clergy initiate petitions to suspend the process. Self-government agencies finding themselves at the “will of the majority” implement discriminatory practices towards religious minorities.

- **Transfer of the property ownership/registration**

Religious organizations face barriers when trying to register property under their possession (ownership). As a rule, the appropriate state institutions fail to correctly apply regulations on the legal entity of public law to religious organizations.

- **Discrimination and indoctrination in public education institutions**

A non-secular environment in public schools, violation of religious neutrality, constant proselytism and religious indoctrination are the main reasons religious intolerance and stereotypical attitudes towards religious minorities are spread among youngsters. It is necessary that the state actively engage in the protection of religious freedom, increasing religious tolerance and developing an action plan. The plan should entail the creation of a working group responsible for proper monitoring and the identification of proselytism, indoctrination and the non-academic display of religious symbols in public schools. It is important to revise school materials, train teachers and principals and to incorporate tolerance assessment in teacher certification tests. In addition, textbook approval procedures should aim at developing a content capable of materializing non-stereotypical, virtual thinking.

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- **Religious policy of the State**

During the last two years, the state has been implementing an interventional policy towards religious minorities. It interferes in the internal affairs of the Muslim community, unilaterally establishes and defines the mandate of the state institution responsible for religious issues without prior consultations with religious minorities, the public defender's office or other non-governmental organizations.

Meanwhile, there has been a rise in Islamophobic attitudes, increased occurrences of unjustified delays and searches of Georgian Muslims at the border.

- **Funding of Religious Organizations**

Despite the fact that four religious organizations, together with the Orthodox Church, are receiving government subsidized funding, the existent rule of discriminatory funding is not resolved. The compensation proposal for material and moral damages has no essential connection with restitution. The government used vague criteria to determine the four religious organizations eligible to receive compensation, while during the Soviet Union other religious organizations also sustained material and moral damages. In general, the direct funding of religious organizations is problematic, considering that the state does not pre-determine for what purposes the organizations use the funding allocated from the budget.

- **Unequal Taxation**

According to the tax law, religious minorities in Georgia are subjected to unequal taxation policies, compared to the Georgian Orthodox Church.

- **Utility Bills of religious organizations**

Religious organizations are paying electricity and water bills according to the rate established for commercial organizations, while the bills of Orthodox churches are frequently funded from the local municipality budget.

- **Limitations on public space**

Recent events (violation of Muslims' right to pray, incidents occurred during celebration of Hanukkah, attempts to disrupt International Festival of Hope, obstruction of Jehovah's Witnesses' construction) indicates the state has failed to effectively respond to all attempts of public space indoctrination by the Georgian Patriarchate and affiliated extremist groups. The fundamental right of religious minorities to declare their faith, perform rituals and spread their religion in the public domain is constantly restricted.

- **Religious Intolerance of Orthodox Christian Clergy**

Analysis of public statements and interviews indicate that the Orthodox Christian congregation are frequently called upon by the Orthodox clergy to restrict the religious freedoms of minorities. Furthermore, Orthodox clergymen themselves sometimes participate in offenses motivated by religious intolerance. It is necessary for law enforcement officials to adequately respond to the conduct of the clergy.

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## Annex #1

### **List of Religious Organizations in Georgia**

(Interviewed for the research)

1. Eastern European Armenian Catholic Order (Armenian Catholic Church)

Legal Status: Registered as Legal Entity of Public Law (LEPL) since 2011.

Number of Congregation: Around 3000

Geographical Distribution: Tbilisi, Samtskhe-Javakheti: Akhaltsikhe, Akhalkalaki, Ninotsminda.

Web-Page: <http://www.armeniancatholic.org/>

Interviews: Father Mikheil Khachkaliani (Tbilisi)

Father Poghosi (Akhaltzikhe)

One Representative of the Congregation

2. Baha'i Community in Georgia

Legal Status: Registered as Non-Commercial Legal Entity since 1998.

Number of Congregation: Around 300

Geographical Distribution: Tbilisi, Batumi, Rustavi

Web-Page: [www.bahai.ge](http://www.bahai.ge)

Interviews: Rayan Rouhani, Head of the national office

3. Dukhobors

Legal Status: Not registered

Number of Congregation: Around 500

Geographical Distribution: Javakheti

Interviews: Ala Bezhentseva, researcher

#### 4. Evangelical Church Firm Foundation

Legal Status: Not registered

Number of Congregation: Around 25

Geographical Distribution: Batumi

Interviews: Nino Shatirishvili, head of the religious organization  
Two representatives of congregation

#### 5. Evangelical-Baptist Church Madli

Legal Status: Registered as Legal Entity of Public Law (LEPL) since 2000

Number of Congregation: Around 80

Geographical Distribution: Tbilisi, Batumi

Interviews: Merab Oragvelidze, head of the religious organization

#### 6. Spiritual Board of Yazidis of Georgia

Legal Status: Registered as Legal Entity of Public Law (LEPL) since 2011

Number of Congregation: Around 20 000, out of which 15 000 reside in Tbilisi

Geographical Distribution: Tbilisi, Tsnori, Kvareli

Interviews: Dimitri Pirbari, chairman of the Spiritual Board of Yazidis of Georgia

#### 7. The Church of Scientology

Legal Status: Registered as Non-Commercial Legal Entity

Number of Members: 3.

Geographical Distribution: Tbilisi.

Web-Page: <http://www.scientology.org/>

Interviews: Marine Kalandia, executive director

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## 8. Christian Organization of Jehovah's Witnesses

Legal Status: Registered as Non-Commercial Legal Entity since 2008.

Number of Congregation: 20 000.

Geographical Distribution: More than 75 Kingdome Hallsthroughout Georgia

Web-Page: <http://www.jw.org/en/>

Interviews: Manuchar Tsimintia, lawyer

Tamaz Khutsishvli, representative of the Organization

## 9. Administration of Caucasus Muslims

Legal Status: Registered as Non-Commercial Legal Entity

Interviews: Aivaz Mardanov, Sunni Leader

## 10. International Society for Krishna Consciousness (ISKCON)

Legal Status: Registered as Non-Commercial Legal Entity since 2006

Number of Congregation: Around 150

Geographical Distribution: Tbilisi

Interviews: AntimozNatsvlshvili, chairman of the organization

Davit Tutberidze, member of the community

## 11. Caucasus Apostolic Administration of Latin Rite Catholics

Legal Status: Registered as Legal Entity of Public Law (LEPL) since 2011

Number of Congregation: 34, 727

Geographical Distribution: Churches: Tbilisi, Akhaltsikhe, Vale, Arali, Ude, Vargavi, Chiatura, Akhalsheni, Ozurgeti, Batumi, Rustavi, Khizabavra (Kakheti)

Chapels: Ivrita, Gori, Akhalkhiza, Borjomi, Kutaisi, Shroma, Mtisdziri (Kakheti), Sanavardo (Kakheti)

Web-Page: <http://www.catholicchurch.ge/>

Interviews: Father Gabriel Bragantini, Episcopal Vicar  
Giorgi Tskhomelidze, member of Curia, advisor  
Father Akaki Chelidze, head of chancellery  
Father Mikheil Surmava (St. Joseph Church, Village Arali)  
Father Paata Komoshvili (Village Vale)

## 12. Molokans

Legal Status: Not registered

Number of Congregation: Around 130

Geographical Distribution: Tbilisi (4 meeting places: Saburtalo, Didube, NavTlugh, Grmagele), Kakheti (village Iliatsminda (Julianovka))

Interviews: Feodor Neudakhin, presbyter

## 13. Orthodox Church in Georgia

Legal Status: Not registered

Number of Congregation: Around 400

Geographical Distribution: Tbilisi, Kutaisi, Guria region

Interviews: Gelasi Aroshvili, priest

## 14. Religious Society of Friends – Quakers

Legal Status: Registered as Legal Entity of Public Law (LEPL) since 2012

Number of Members: 12

Geographical Distribution: Tbilisi

Web-Page: <http://www.quakerinfo.org/index>

Interviews: Mikheil Elizbarashvili

## 15. Seventh-Day Adventist Church

Legal Status: Registered as Non-Commercial Legal Entity since 2009

Number of members: 500

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Geographical Distribution: Tbilisi (with the highest number of congregation), Kartli, Kakheti, Imereti, Achara.

Web-Page: <http://adventist.ru/en>

Interviews: Alexander Schwartz, President of Union  
Boris Charaia, Pastor  
Giorgi Tsamalashvili, Pastor

#### 16. Universal Peace Federation

Legal Status: Registered as Non-Commercial Legal Entity

Number of members: 11

Geographical Distribution: Tbilisi

Web-Page: <http://www.upf.org/chapters/list/GE>

Interviews: Vitaly Maksimov

#### 17. Administration of Muslims of All Georgia

Legal Status: Registered as Legal Entity of Public Law (LEPL) since 2011.

Web-Page: <http://www.amag.ge/>

Interviews: Jemal Paksadze, Mufti of the Western Georgian Muslims  
Aslan Abashidze, Mufti of Khulo  
Vagip Akberov, former Sheikh

#### 18. Georgian Muslims Union

Legal Status: Registered as Non-Commercial Legal Entity since 2008

Web-Page: <http://www.islam.ge/>

Interviews: Tariel Nakaidze, deputy chairman of the organization  
Four members of the parish (Batumi)



19. Muslim Community in the village Duisi

Interviews: Imam Amir Khangoshvili

Local Muslim Omar Khangoshvili

Imam Omar Aldamov, follower of

“Traditional Islam” in the village Duisi

20. Gedeoni, Union of Protestant Churches

Legal Status: Non-Commercial Legal Entity

Number of Members: Around 150

Geographical Distribution: Kutaisi, Batumi

Interviews: Genadi Malakmadze, member of the union

21. The Salvation Army International Organization

Legal Status: Registered as Non-Commercial Legal Entity since 2003

Number of Members: Around 600

Geographical Distribution: The organization has 8 units in Georgia (Tbilisi, Rustavi, Lagodekhi, Batumi)

Interviews: Besik Nebieridze, regional officer,

Irma Nebieridze, regional officer

22. Georgian Evangelical Church

Legal Status: Registered as Non-Commercial Legal Entity since 2006

Number of Members: Around 150

Geographical Distribution: Tbilisi

Interviews: Zaal Tkeshelashvili, pastor

23. Evangelical- Baptist Church

Legal Status: Registered as Legal Entity of Public Law (LEPL) since 2012

Number of Members: Around 5000

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Geographical Distribution: Tbilisi; Kartli region (Churches of Khashuri, Ibsa, Borjomi, Metekhi, Akhaltsikhe); Western Georgia (Batumi, Poti, Zugdidi, Ozurgeti, Sachkhere and Kutaisi); Kakheti region (Lagodekhi, Ozhio, Akhalsopheli, Telavi, Tsnori, Dedoplistskaro)

Web-Page: <http://www.ebcgeorgia.org/>

Interviews: Bishop Rusudan Gotsiridze

#### 24. Evangelical-Lutheran Church

Legal Status: Registered as Legal Entity of Public Law (LEPL) since 2011

Number of members: Around 800

Geographical Distribution: Tbilisi, municipalities of Rustavi, Bolnisi, Gardabani,

Borjomi, Asureti village

Web-Page: <http://elkg.ge/>

Interviews: Bishop Hans-Joachim Kiderlen,  
Vicar Irina Solei

#### 25. Evangelical-Protestant Church of Georgia

Legal Status: Registered as Legal Entity of Public Law (LEPL) since 2012

Number of Congregation: Around 1000

Geographical Distribution: Tbilisi, Rustavi, Kashuri, Kareli and surrounding villages

Web-Page: <http://www.protestant.ge/>

Interviews: Pastor Shmagi Chankvetadze

#### 26. Evangelical Church People of God

Legal Status: Registered as Legal Entity of Public Law (LEPL)

Number of Congregation: Around 70

Geographical Distribution: Tbilisi, Gardabani, Marneuli

Interviews: Selvio Oganesyanyan, pastor  
Rusudan Maliani, translator

### 27. Jewish Community in Georgia

Number of Congregation: Around 3,541

Interviews: Rabbi Avishai Batashvili  
Nathan (Dima) Tapliashvili

### 28. Pentecostal Church of Georgia

Legal Status: Registered as Legal Entity of Public Law (LEPL)  
since 2013

Number of Congregation: Around 10,000

Geographical Distribution: Tbilisi, Ozurgeti, Poti, Senaki, Zugdidi, Gori, Zestaphoni, Samtredia, Kutaisi etc. – 120 churches in total

Web-Page: [www.qristiani.ge](http://www.qristiani.ge)

Interviews: Lela Khonelidze, Public Relations officer  
Spartak Chankvetadze, pastor at Kutaisi church  
Four members of parish

### 29. Word of Life Evangelical Church

Legal Status: Non-Commercial Legal Entity

Number of Congregation: Around 1000

Geographical Distribution: Kareli, Tbilisi, Gori, Batumi, Kobuleti, Zugdidi, Orsantia

Interviews: Mamuka Jebisashvili, Pastor

### 30. The Chaldean Catholic Church in Georgia

Legal Status: Registered as Legal Entity of Public Law since 2011

Number of Congregation: Around 350 members of active parish and around 2000 members of passive parish (people who

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attend only major Christian Holidays)

Geographical Distribution: Tbilisi

Interviews: Benyamin Bethyadegar, priest

### 31. Diocese of Armenian Apostolic Orthodox Holy Church in Georgia

Legal Status: Registered as Legal Entity of Public Law (LEPL) since 2012.

Number of Congregation: 171,139

Geographical Distribution: Tbilisi, Batumi, municipalities of Akhaltsikhe, Akhalkalaki, Aspindza, Borjomi, Tetrtskaro, Marneuli, Tsalka, Ninotsminda

Web-Page: <http://armenianchurch.ge>

Interviews: Archimandrite (Vardapet) Babgen Salbinyan

Priest Ter-Narek Ghushyan

Priest Ter-Tatev Maruqyan

Levon Isakhanyan - Head of the Department of Legal Issues,

Relations with the State and Interreligious Cooperation

### 32. Lord Caitanya's Rescue Mission

Legal Status: Registered as Legal Entity of Public Law (LEPL) since 2013.

Number of Congregation: Around 20

Geographical Distribution: Tbilisi

Web-Page: <https://www.facebook.com/UpaliChaitaniasMisia>

Interviews: Aleksandre Shugladze,

Vakhtang Shervashidze

### 33. Holy Trinity Protestant Church

Legal Status: Registered as Legal Entity of Public Law (LEPL) since 2012.

Number of Congregation: Around 300

Geographical Distribution: Batumi, Kobuleti, Poti

Web-Page: <http://www.stecclesia.org/>

Interviews: Varlam Ramishvili, pastor  
Four members of Parish