

2008 Annual Report of the U.S. Commission on International Religious Freedom

Countries Previously on the Commission's Lists: Georgia, India, and Laos

Georgia

Religious freedom conditions in Georgia continued to improve in the past year. Under the government of President Mikheil Saakashvili, the number of reported incidents of violence against minority religious communities has markedly decreased, a trend that continued in the past year. Many of the leaders of the vigilante violence have been sentenced to prison for their involvement in the attacks. In the past year, President Saakashvili and the country's Human Rights Ombudsman made numerous speeches and appearances in support of minority religious groups. While the Georgian Orthodox Church (GOC) remains the only religious group with formal legal status as a religious organization, most religious communities are able to operate in Georgia. These and other improvements in religious freedom conditions led the Commission to remove Georgia from its Watch List in 2004.

Under the government of former President Eduard Shevardnadze, members of minority religious groups, including Baptists, Roman Catholics, Hare Krishnas, Jehovah's Witnesses, and members of Orthodox churches that do not accept the primacy of the GOC Patriarchate, were subjected to over 100 violent vigilante attacks. Jehovah's Witnesses, as well as members of independent Orthodox churches, were particularly targeted. Local police were implicated in these attacks, as they often refused to intervene to protect the victims. What began in 1999 as a series of isolated attacks in the capital of Tbilisi escalated by 2002 into a nationwide scourge of widely publicized mob assaults against members of religious minorities. However, according to the State Department, increased investigations and prosecutions of the perpetrators of the violence, who included some GOC priests reportedly supported by others in the GOC hierarchy, led to improvements in the status of religious freedom. In late 2004, Georgian officials permitted the Jehovah's Witnesses to operate legally in the country for the first time. Under a new registration process established by parliament in April 2005, 14 religious communities were able to obtain legal status as non-commercial organizations.

Despite improvements, however, religious freedom concerns remain. Although the primary leaders of the violent mob attacks against members of religious minorities have been convicted, many others accused of participating in this violence—including local police officials—have not been held to account by the Georgian authorities, reportedly due to fears of offending the GOC hierarchy. Moreover, occasional mob attacks on religious minorities still occur, particularly against members of the Jehovah's Witnesses.

There are also concerns about the status of the GOC, to which 65 percent of the country's population claims adherence. In October 2002, the Georgian government signed a "concordat" with the GOC, granting the Church some authority over state school textbooks, the construction of religious buildings, and the publication of religious literature by other religious groups. Although the agreement was reaffirmed in January 2005, a new law the following April provided for the separation of state schools and religious teaching and narrowed the application of the concordat, such as limiting teaching by the GOC to after-school hours and eliminating school and teacher involvement. Nevertheless, public schools reportedly do offer an elective course on

religion, which deals only with the theology of Orthodox Christianity. In response, the Ministry of Education is developing new textbooks that will discuss various religions in a neutral way. Reports continue, however, of societal pressure against students who are members of “non-traditional” religious minorities. The Georgian Human Rights Ombudsman reported that public school teachers sometimes offer Orthodox prayers in classrooms and display Orthodox icons in schools. The Education Ministry has formed a General Inspection Department to deal with complaints of inappropriate teacher behavior, and in 2007, the Ministry was also drawing up guidelines for periodic teacher recertification in this regard. The General Inspection Department reported that 15 complaints of violations of religious freedom were filed in the first half of 2007, most of them concerning verbal abuse.

According to the State Department, the Roman Catholic Church, Armenian Apostolic Church, and several Protestant denominations continued to have difficulty obtaining permission to build new churches, due in part to the reluctance of local authorities to antagonize local GOC supporters. However, the GOC reportedly did not oppose new church construction by other religious groups when such construction did not obstruct or otherwise affect GOC sites. In past years, Assyrian Chaldean Catholics, Lutherans, Muslims, Old Believers, Jehovah’s Witnesses, and Roman Catholics had stated that the GOC Patriarchate had often acted to prevent them from acquiring, building, or reclaiming places of worship. In addition, Roman Catholics, Baptists, Pentecostals, the Armenian Apostolic Church, and the True Orthodox Church reportedly also faced GOC pressure, condoned by government officials, preventing them from building houses of worship.

In April 2005, a new law was passed allowing religious communities to register as non-commercial organizations, since the GOC was the only religious community to have legal status in Georgia. As a result, the Church of Jesus Christ of Latter Day Saints (Mormons), Seventh Day Adventists, and 12 other religious denominations have been approved for registration. While this remedy generally is considered a satisfactory mechanism to grant legal personality to most religious groups, Muslims, the Roman Catholic and Armenian Apostolic churches, and some other groups reportedly are trying to devise a different arrangement with the government to accommodate their internal hierarchical structures. The leaders of other religious minority groups are also still seeking recognized legal status, a prerequisite for the community to own property collectively or organize most religious activities. The absence of formal legal status, however, generally has not prevented most religious communities from functioning through affiliated, registered non-governmental organizations.

Members of various religious minority communities have noted the positive role played by the government’s Human Rights Ombudsman in advancing their rights in accordance with international law. In December 2005, for example, the Human Rights Ombudsman issued a report calling for equal recognition under the law for all religions, a suggestion to which some Members of Parliament reportedly objected due to the historic role of the GOC.

Despite general tolerance toward minority religious communities viewed as traditional to Georgia, opinion polls and views expressed in the Georgian media reflect significant societal intolerance towards Protestants and other religions seen as relatively new to Georgia. There were reports of societal abuses or discrimination based on religious identity in the past year; however, the State Department reported that the non-GOC religious minorities noted significant

decreases in incidents of harassment, violence, or other direct pressures. None alleged continuing organized campaigns of physical abuse.

With regard to Georgia, the Commission recommends that the U.S. government should:

- encourage the Georgian government to continue to investigate and prosecute those individuals, including local officials, who are alleged to have been complicit or engaged in violence against members of religious minority communities;
- encourage the Georgian government to establish a mechanism to enable all religious communities to gain legal personality under Georgian law in a manner that reflects internal structural characteristics of the communities and is consistent with international human rights standards;
- fund programs in Georgia for journalists, religious leaders, and members of non-governmental organizations to promote religious tolerance and provide education on international standards on freedom of religion or belief; and
- encourage the Organization on Security and Cooperation in Europe (OSCE), the OSCE Field Presence in Tbilisi, and the OSCE Panel of Experts on Religion and Belief to conduct activities in Georgia, including seminars on the OSCE's "Toledo Guiding Principles on Teaching about Religions and Beliefs in Public Schools," to increase public and official awareness of the importance of freedom of religion or belief and tolerance.