

GEORGIA 2020 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution recognizes equality for all regardless of religion, subject to considerations of public safety or health or the rights of others, and it stipulates the independence of the Georgian Orthodox Church (GOC) from the state. The constitution recognizes the “outstanding role” of the GOC in the history of the country. It prohibits persecution based on religion. Laws and policies continue to grant the GOC unique privileges. The nongovernmental organization (NGO) Tolerance and Diversity Institute (Tolerance Institute) stated that prosecutors continued to fail to indict individuals for religiously motivated crimes. NGOs criticized the government during the COVID-19 state of emergency between March 22 and May 22 for allowing the GOC exceptions from restrictions on in-person religious services while not responding to minority religious groups’ requests for clarification on applying restrictions. The government did not approve the registration application of any new religious group. It rejected the application of the Christian Church for All Nations for the second year in a row. Parliament again failed to pass legislation to comply with a court order to amend the law under which the GOC received exclusive tax and property privileges. Some religious groups advocated legislation that would address a broader range of religious issues, while others expressed concerns about the potential impact of such a law on smaller groups. Religious leaders criticized parliament for passing amendments in May that grant only the GOC ownership rights to state forests located near or adjacent to churches and monasteries. Some Muslim community leaders said the government continued to influence and favor the state-funded religious group All Muslims of All Georgia (AMAG). Following the December 2019 election of Mufti Adam Shantadze as the new AMAG leader, AMAG education department head Rezo Mikeladze, AMAG press center head Otar Nadiradze, and two other leaders within the organization resigned, and Mikeladze made a televised statement saying Shantadze was the candidate of the State Security Service and his appointment would not benefit the interests of Muslims. Mikeladze and Nadiradze subsequently rejoined AMAG. The Armenian Apostolic, Evangelical Lutheran, and Roman Catholic Churches and some Muslim groups reported continued difficulties in obtaining government recognition of their ownership claims of religious properties. Muslim community members continued to state there was a lack of transparency in government decisions on mosques and their construction. NGOs continued to state there was bias in public schools favoring Georgian Orthodox religious teachings, although the government took some steps to involve human rights groups in the textbook selection process. NGOs and some religious

groups continued to criticize legislation that excluded some religious groups, including the Evangelical Lutheran Church, from receiving compensation for damages suffered during the Soviet era.

According to religious leaders, de facto authorities in the Russia-occupied Georgian regions of Abkhazia and South Ossetia, which remained outside the administrative control of the central government, continued to restrict or prohibit the activities of some religious groups. De facto authorities in both areas continued to ban Jehovah's Witnesses. According to anecdotal reports, however, Jehovah's Witnesses could continue to rent space for Kingdom Halls in Abkhazia. Both the GOC and the Russian Orthodox Church formally recognized Orthodox churches in Abkhazia and South Ossetia as belonging to the GOC, but GOC representatives said de facto authorities in South Ossetia pressured Orthodox churches to merge with the Russian Orthodox Church. Sources stated that the Russian Orthodox Church tacitly and unofficially supported breakaway churches that did not have official autocephaly from the GOC. De facto South Ossetian authorities permitted GOC religious services but said they were illegal. De facto Abkhaz authorities prohibited Georgian Orthodox clergy from entering the occupied territory. Some religious figures in Abkhazia reportedly continued to advocate the establishment of an autocephalous Orthodox Church in the territory or a merger with the Russian Orthodox Church.

According to NGOs and minority religious groups, religiously motivated crimes declined compared to 2019 due to COVID-19 pandemic restrictions on public activity. During the year, the Ministry of Internal Affairs (MOIA) investigated 22 cases involving crimes reported as religiously motivated, compared with 44 cases in 2019. The Public Defender's Office received seven complaints of religiously based crimes or discrimination during the year, compared with 19 complaints in 2019. Two of these complaints involved violence. The Prosecutor General's Office (PGO) obtained convictions for two individuals for crimes against Jehovah's Witnesses motivated by religious intolerance, and a case against a third was pending at year's end. Jehovah's Witnesses said attacks against members declined because the group, in response to COVID-19 pandemic restrictions, shifted to online activities and ceased conducting public outreach or door-to-door evangelism. Jehovah's Witnesses reported eight incidents against the group, its members, or Kingdom Halls, including one involving violence, compared with 20 in 2019. According to the Public Defender's Office, the PGO made improvements compared to prior years in classifying crimes targeting Jehovah's Witnesses as motivated by religious intolerance. The Public Defender's Office and religious minorities continued to state there was widespread societal perception that

religious minorities posed a threat to the GOC and the country's values. The NGO Media Development Foundation documented 20 instances of religiously intolerant remarks in national media by media figures, political parties, clergy, public organizations, and others, compared with 55 in 2019. In May, Georgian Orthodox clergyman Basil Mkalavishvili said the prayers of the Roman Catholic Church "have no merit." In April, Sandro Bregadze, leader of the nativist movement Georgian March, told a news outlet that Jehovah's Witnesses were the main source of COVID-19 in the city of Zugdidi. In December, the Tolerance Institute condemned as anti-Semitic a sermon by Georgian Orthodox Metropolitan Ioane Gamrekeli in which he referred to nonbelievers as "a lineage of infidels." The Georgian ambassador to Israel said Gamrekeli's words had been misinterpreted, and the GOC subsequently issued a statement condemning anti-Semitism.

U.S. embassy officials continued to meet regularly with senior government officials, including the leadership of the State Agency for Religious Affairs (SARI), the public defender, the Prime Minister's adviser on human rights, and officials at various ministries to encourage dialogue and tolerance between the government and minority religious groups. The Ambassador met with Georgian Orthodox Patriarch Ilia II and other senior Church leaders to stress the importance of the GOC in promoting religious diversity and tolerance. The Ambassador and other embassy officials met with minority religious groups throughout the country, and the embassy and its regional information offices sponsored events in Tbilisi and elsewhere in the country to encourage religious tolerance and interfaith dialogue. In November, the Secretary of State met with Georgian Orthodox Patriarch Ilia II in Tbilisi to discuss the promotion and protection of religious freedom. The embassy continued to support long-term programming to protect the rights of religious and ethnic minorities and promote greater integration.

Section I. Religious Demography

The U.S. government estimates the total population at 4.9 million (midyear 2020 estimate). According to the 2014 census, GOC members constitute 83.4 percent of the population, followed by Muslims at 10.7 percent and members of the Armenian Apostolic Church at 2.9 percent. The remaining 3 percent includes Roman Catholics, Yezidis, Greek Orthodox, Jews, growing numbers of "nontraditional" religious groups, such as Baptists, Jehovah's Witnesses, Pentecostals, the International Society of Krishna Consciousness, and individuals who profess no religious preference.

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

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

According to a 2015 census conducted by de facto South Ossetian authorities, there were 53,000 residents of Russia-occupied South Ossetia. The majority of the population practices Orthodox Christianity; other minority groups include Muslims and the Right Faith, a revival of the pre-Christian ethnic Ossetian religion.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

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

The constitution recognizes the GOC's special role in the country's history but stipulates the Church shall be independent from the state and that relations between

the GOC and the state shall be governed by a constitutional agreement (concordat). The concordat grants rights not given to other religious groups, including legal immunity for the Georgian Orthodox patriarch, exemption of Church clergy from military service (although by law, clergy from all religious groups are exempted), and a consultative role in government, especially in state education policies. The concordat states that some of its provisions require additional legislation before they may be implemented, including the GOC's right to a consultative role in state education policies. There is currently no implementing legislation for the concordat.

A religious group may register with the National Agency of the Public Registry (NAPR) as a legal entity of public law (legal entity) or as a nonprofit organization, both of which offer benefits, including legal recognition, tax exemptions for donations and other "religious activities" (a term not clearly defined by law), and the right to own property and open bank accounts. The civil code defines the activities and rights of denominations registered for legal entity status. Unregistered religious groups may conduct religious activities but do not receive the legal status or benefits conferred on registered groups.

To register as a legal entity, the law specifies a religious group must have a historic link with the country or be recognized as a religion "by the legislation of the member states of the Council of Europe." A religious group must also submit to the NAPR information regarding its objectives and procedures and a list of its founders and members of its governing body. Groups registering as nonprofit religious organizations do not have to demonstrate historic ties to the country or recognition by Council of Europe members but must submit to the NAPR similar information on their objectives, governing procedures, and names of founders and members of their governing body.

The law grants the GOC exceptions from several requirements applicable to other religious groups, including payment of taxes on the construction, restoration, and maintenance of religious buildings and the payment of taxes on property. It exempts the Georgian Orthodox Patriarchate, but not other religious groups, from taxes on "profit from the sale of crosses, candles, icons, books, and calendars used...for religious purposes." In addition, the law states only the GOC may acquire nonagricultural state property through a direct sale by the government. Should other religious groups wish to acquire this type of property, they must participate in public tenders. Only the GOC has the right to acquire agricultural state property free of charge; all others must pay a fee. On May 22, parliament

passed amendments to the forest code granting the Church ownership over state forests located near or adjacent to churches and monasteries.

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

According to a 2010 Ministry of Justice decree, accused and convicted individuals may meet only with spiritual representatives of the GOC and registered religious organizations. Prison regulations state prisoners have the right to possess and use religious literature and objects of worship.

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

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

By law, the PGO, which is separate from the MOIA, prosecutes human rights violations involving religious intolerance, while the Public Defender's Office serves as the country's human rights ombudsman and monitors complaints of restrictions on religious freedom. The Public Defender's Office's Tolerance Center carries out educational activities and monitors and analyzes cases of religious and ethnic discrimination. It also coordinates the Public Defender's Office-affiliated Council of Religions and Council of Ethnic Minorities. The Council of Religions has a mandate to protect religious freedom; facilitate a constructive multilateral dialogue among various religious groups; promote a tolerant, fair, and peaceful environment for religious groups; and engage religious minorities in the process of civic integration. It produces an annual report on the status of religious freedom in the country that includes policy recommendations.

The State Inspector Service, a separate investigative body from the PGO, investigates crimes such as torture, degrading treatment, and abuse of power and abuse of office perpetrated by representatives of law enforcement and public officials if they are committed by use of force or violate the personal dignity of a person and involve discriminatory elements or features, including religious motives. Following the investigation, the service refers these cases to the PGO for prosecution. Since its creation in May 2019, the service has not received any information on a religiously motivated crime.

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

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

Government Practices

The Tolerance Institute again stated that the MOIA generally correctly applied the appropriate articles of the criminal code in most cases and the quality of investigations of crimes motivated by religious hatred continued to improve. The institute stated, however, that the PGO continued to fail to determine whether an individual was a “victim” of a crime under law (i.e., a person who has incurred moral, physical, or material damage as a result of a crime) and to indict individuals for religiously motivated crimes.

During the COVID-19 pandemic, the government declared a state of emergency from March 21 through May 22. According to religious organizations and NGOs, due to the public’s and religious groups’ adherence to government-imposed restrictions, public religious activity declined. NGOs said SARI was unresponsive to minority religious groups’ requests for clarification on restrictions relating to in-person religious services, while it granted the GOC exceptions to or not did not enforce restrictions, thereby enabling the Church to continue hosting in-person religious services, including Orthodox Easter services on April 19.

The NAPR did not register any new religious organization as a legal entity during the year. It rejected the registration application of the Christian Church for All Nations for the second year in a row. The NAPR found the group’s legal documentation was insufficient and requested additional documentation. As of year’s end, the group’s registration process remained suspended pending presentation of additional materials.

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

According to NGOs and minority religious groups, many religious issues, such as tax exemptions and restitution issues, continued to lack a clear legislative framework. SARI and some religious groups’ representatives, including members of the Jewish community and the Armenian Apostolic Church, said they remained in favor of drafting a new, broader “law on religion” to define which groups would

be eligible for these and other benefits and to address issues pertaining to the registration and legal status of religious groups and the teaching of religion in public schools. Many civil society representatives and members of other religious groups, including some individuals from the Muslim community, the Catholic Church, and the Evangelical Baptist Church, however, remained opposed, arguing such legislation would allow the government to discriminate against smaller religious communities and increase its leverage over them. They advocated instead making benefits available to all religious groups or to none.

Parliament failed to take action during the year to amend the law granting the GOC tax and property privileges not available to other religious groups, despite a 2018 Constitutional Court ruling that the law was unconstitutional and mandating parliament make legislative changes to either abolish the privileges or grant them to all religious organizations no later than December 31, 2018.

On May 13, the Constitutional Court announced its decision that the case brought by nine religious organizations claiming the GOC's exclusive property tax exemption on land used for noneconomic purpose violated the constitutional provision guaranteeing equality before the law had merit and would be admitted for substantive consideration. The court had not started this review at year's end.

On February 20, the Constitutional Court heard arguments on whether to accept for substantive consideration a case brought by nine religious organizations challenging restrictions on the rights of religious organizations other than the GOC to purchase or exchange state-owned property. As of year's end, the court had not reached a decision.

The Tolerance Institute and other NGOs criticized as unconstitutional and discriminatory amendments passed in May to the Forest Code that granted only the GOC ownership over state forests located near or adjacent to churches and monasteries.

NGOs and some Muslim community leaders stated the government continued to favor and influence the state-funded AMAG, including by influencing the selection of AMAG's religious leader and selectively transferring land to AMAG. The groups said AMAG was a "Soviet-style" organization that served as a tool of the state to monitor and control religious groups. A number of Muslim groups remained critical of AMAG for insisting it represented all Muslim communities in the country within one organization. Following the December 25, 2019, election of Mufti Shantadze as the new AMAG leader, head of the AMAG education

department Mikeladze resigned and made a televised statement saying Shantadze was the candidate of the state security service and his appointment would not benefit the interests of Muslims. Three other leaders – press center head Nadiradze, advisor to the mufti Temur Gorgadze, and publishing house head Gela Gogitidza – also resigned. During the year, Mikeladze and Nadiradze returned to AMAG, and Mikeladze continued to hold senior offices in the education department. Mikeladze and Nadiradze made no statements addressing their departure or return.

At year's end, the Tbilisi City Court had not ruled on the Armenia Apostolic Church's January 2018 appeal of the NAPR's decision to register as the GOC's property a church that the Armenian Apostolic Church claimed to own since the collapse of the Soviet Union. The Armenian Apostolic Church continued to petition SARI for restitution of five churches in Tbilisi and one in Akhaltsikhe, all of which the GOC also claimed and authorities registered as state property. As of year's end, SARI had not officially responded to any of the Armenian Church's 57 petitions, 20 of which it filed in 2015 and 37 in 2018, for ownership or right-of-usage status. The Armenian Apostolic Church said the only communication from SARI during the year was SARI chairman Zaza Vashakmadze telling the group the issue was "under consideration." The Church reported it operated all 57 churches in the country but did not own any of them. The Church also stated it had not petitioned NAPR during the year to register them as Church-owned property. SARI said the Armenian Apostolic Church had not provided sufficient evidence of ownership but that it was in communication with the Church and expressed willingness to cooperate in the future.

Muslim community members continued to state there was a lack of transparency in government decisions regarding construction of mosques. The Muslim community continued to dispute the government's ownership of mosques in Kvemo Kartli, Adigeni, and Adjara. The government owned the land as a legacy from the Soviet period and, in some cases, said the existing mosques were former Georgian Orthodox houses of worship that had been converted during the Ottoman and Persian empires or were constructed during those periods on land where Georgian Orthodox houses of worship had once stood. AMAG reported that when the government transferred state-owned mosques, it only did so for AMAG to use for a 49-year or unlimited period; the government did not transfer full ownership of the property or land.

The Kutaisi Court of Appeal held hearings in February and July on the Batumi city government's appeal connected to its 2017 decision to deny the local Muslim

community a permit to build a mosque but did not reach a decision by year's end. In 2019, the Batumi City Court ruled that the Batumi city government had discriminated against the New Mosque Construction Fund (an entity representing members of the Batumi Muslim community seeking to establish a new mosque) by denying the permits necessary to build a new mosque on land the fund owned. The lower court ordered the mayor's office to reconsider its decision. The Batumi city government rescinded the 3,000 lari (\$920) fine it had imposed in 2017 for the construction of a temporary wooden structure built on the fund's land, pending the outcome of the appeal. The NGO Human Rights Education Monitoring Center (EMC) described the status of the case as "frozen."

The government continued to pay subsidies for the restoration of religious properties it considered national cultural heritage sites. The National Agency for Cultural Heritage, housed within the Ministry of Education, Science, Culture, and Sport, allocated 1.91 million lari (\$584,000) during the year for the restoration of religious monuments, compared with 2.3 million lari (\$703,000) in 2019.

As of year's end, the Supreme Court failed to act on a 2018 EMC appeal of a lower court ruling that the MOIA had not discriminated against Muslims when it failed to prevent vandalism against an Islamic boarding school that was under construction in Kobuleti, near Batumi, in 2014. The vandalism followed anti-Turkish and anti-Muslim protests concerning the school. As a result of the protests, the local municipality refused to connect sewage and water systems. In 2018, a lower court ruled the municipality had to connect the school to utility services, but the municipality took no action, and the boarding school remained incomplete as of year's end, without water and sewage services.

Tolerance Institute representatives continued to state that religious education in public schools persisted, although the law provided for religious neutrality and nondiscrimination. The GOC did not offer any formal religious studies classes in public institutions. Although the GOC had the right to have direct involvement in public institutions, such as schools, under the concordat, the government did not define clear legal structures for it to do so. Prior to schools being closed in February due to COVID-19 restrictions, NGOs and non-Georgian Orthodox organizations, such as the EMC, reported Georgian Orthodox clergy often visited classes during the regular school day, sometimes at the initiative of teachers or school administrators, despite the law restricting such visits to after hours.

As a result of the COVID-19 pandemic, the government shifted the majority of schools to online instruction, and there were no reports of religious discrimination

in schools during the year. The Tolerance Institute stated that students were also hesitant to report cases of religious discrimination in schools for fear of reprisal from fellow students, teachers, or school officials. The institute also reported the process for selecting textbooks became more inclusive, with the Ministry of Education inviting human rights experts to review the content for discriminatory or biased language that favored the GOC.

During the year, the Tolerance Institute represented two Seventh-day Adventist university applicants who, due to their religious beliefs, could not take entrance examinations on Saturday and were denied a date change by the government. The institute filed suit with the Tbilisi City Court, and the court ruled that the government was obligated to reschedule the examination to accommodate the applicants' religious beliefs. The court stressed the importance of freedom of religion and respecting the needs of religious minorities in the context of the right to equality. The Equality Department of the Public Defender's Office issued a general proposal to the Ministry of Education, based on information provided by the Tolerance Institute, recommending the ministry take into account the needs of religious minorities. Although the applicants successfully passed the examinations and enrolled in university, the case remained pending at year's end, as the Tolerance Institute asked the court to find that the ministry had discriminated against the applicants because of their religion and to award "symbolic compensation" of one lari (22 cents) for "moral damage."

During the year, the government through SARI allocated 25 million lari (\$7.65 million) to the GOC and 3.5 million lari (\$1.07 million) to approved non-Georgian Orthodox religious communities to provide partial compensation for damage caused during the totalitarian Soviet regime. The 3.5 million lari (\$1.07 million) was distributed as follows: 2.20 million lari (\$673,000) to the Muslim community, represented by AMAG; 400,000 lari (\$122,000) to the Roman Catholic Church; 600,000 lari (\$183,000) to the Armenian Apostolic Church; and 300,000 lari (\$91,700) to the Jewish community. SARI said the remaining one million lari (\$306,000) would be distributed among the religious communities "later." This was a decrease from the 2019 amounts: 25 million lari (\$7.65 million) to the GOC; 2.75 million lari (\$841,000) to the Muslim community, represented by AMAG; 550,000 lari (\$168,000) to the Roman Catholic Church; 800,000 lari (\$245,000) to the Armenian Apostolic Church; and 400,000 lari (\$122,000) to the Jewish community. SARI's position was that the payments were of "partial and of symbolic character," and that the government continued to take into account levels of damage and "present day negative conditions" of religious groups in determining compensation. NGOs and religious groups continued to criticize the

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

The MOIA Department of Human Rights conducted eight training sessions during the year – five total in Tbilisi and Batumi and three online. At these events, it trained 139 MOIA employees on aspects of religious discrimination and hate crimes. Fifteen employees completed the ministry’s remote learning course on hate crimes investigation.

In October, the Public Defender’s Office-affiliated Council of Religions produced its annual report on the status of religious freedom in the country. The report identified areas needing improvement and made specific recommendations in the following categories: legislative regulation of freedom of religion; crimes motivated by intolerance; state policy on freedom of religion; property issues; border crossing by religious groups; the import of religious literature; police conduct in areas with ethnic and religious minorities; education; reflecting diversity; confronting hate speech and anti-Western propaganda; and the role of the media. During the October conference to discuss the report’s recommendations, many NGO and religious leaders said they were disappointed that the council’s recommendations were similar or identical to those it had made in past years, with no improvement or progress on the issues identified.

Actions by Foreign Forces and Nonstate Actors

The Georgian regions of Abkhazia and South Ossetia remained occupied by Russia and outside the administrative control of the central government. Reliable information from those regions continued to be difficult to obtain. According to the “constitution” adopted in Abkhazia, all persons in the region are equal before the law regardless of religious beliefs and everyone has the right to freedom of religion, conscience, and belief. It forbids the formation of associations or parties or activities that incite religious discord. The “constitution” of South Ossetia guarantees freedom of conscience and faith but states, “Orthodox Christianity and traditional South Ossetian beliefs represent one of the foundations of the national self-awareness of the Ossetian people.”

The Russian Orthodox Church and the GOC both formally recognized the Orthodox churches in Abkhazia as well as in South Ossetia as belonging to the GOC, but GOC representatives said de facto authorities in South Ossetia pressured

Orthodox churches to merge with the Russian Orthodox Church. Sources stated that the Russian Orthodox Church tacitly and unofficially supported breakaway churches that did not have official autocephaly from the GOC. De facto authorities continued to restrict Georgian Orthodox clergy's accessing these areas. According to media reports from online news outlets, such as *Netgazeti* and *Resonance Daily*, as well as experts on the region, some religious figures in Abkhazia continued to support turning the region's Orthodox churches into an autocephalous Abkhaz Orthodox Church, while others wished to subordinate them to the Russian Orthodox Church, and still others wished to subordinate them to the Ecumenical Patriarchate of Constantinople.

De facto authorities in both Abkhazia and South Ossetia continued to ban Jehovah's Witnesses. According to anecdotal reports, however, Jehovah's Witnesses continued to be able to rent space for kingdom halls in Abkhazia.

Representatives of the GOC remained unable to travel to or conduct services in Russia-occupied Abkhazia, including in the majority-ethnic Georgian Gali District. According to GOC representatives, the district's ethnic Georgian population continued to have to travel to Tbilisi-administered territory to celebrate religious holidays.

The government and GOC continued to say the de facto authorities damaged historical Orthodox religious buildings in an attempt to erase Georgian cultural heritage, but they did not cite specific examples.

According to GOC representatives, de facto authorities allowed the GOC to conduct services in South Ossetia, although the de facto authorities said such services were illegal. There were Georgian Orthodox churches in the ethnic-Georgian-majority district of Akhagori. SARI again reported it was not allowed to enter the occupied territory. It said it was unable to monitor houses of worship in South Ossetia and that the status of most properties in the territory was unknown. According to a report from Amnesty International released in 2019, residents in and outside of South Ossetia were impeded from visiting a number of churches and cemeteries within South Ossetia located near the administrative boundary line with the rest of Georgia because of the threat of detention by Russian guards. The report said residents were unable to visit the village cemetery in Kveshi and were impeded from visiting eight other cemeteries in South Ossetia near the administrative boundary line.

GOC representatives said de facto authorities in South Ossetia continued to pressure the Orthodox churches in the territory to merge with the Russian Orthodox Church.

Section III. Status of Societal Respect for Religious Freedom

According to religious organizations and NGOs, due to government-imposed COVID-19 pandemic restrictions on public activity, crimes committed against religious groups declined compared with 2019. The MOIA investigated 22 cases involving crimes reported as religiously motivated, compared to 44 cases in 2019. These included three cases of unlawful interference with the performance of religious rites (compared with 10 in 2019), four cases of persecution (compared with 10 in 2019), and five cases of damage or destruction of property (compared with eight in 2019).

The Public Defender's Office reported it received seven complaints of discrimination or hate crimes based on religion during the year, compared with 19 in 2019. Two of the complaints involved violence; the office did not give further details on these cases. The office stated that cases from previous years remained largely unresolved, partly because of a lack of urgency and resources from the government.

The PGO reported it prosecuted three individuals for crimes against Jehovah's Witnesses motivated by religious intolerance. Two of these individuals were convicted of domestic violence committed due to religious intolerance, and the third case remained pending at year's end. The PGO reported that in one case, a man slapped his wife during an argument on March 8 because she refused to visit her son's gravesite due to her beliefs as a Jehovah's Witness. On April 23, the Samtredia District Court found the man guilty of domestic violence committed in the presence of a minor and due to religious intolerance, and sentenced him to an 18-month conditional prison sentence. On June 19, on appeal, the Kutaisi Appellate Court increased the man's conditional prison sentence to two years. On March 1, a man threatened to shoot two Jehovah's Witnesses who were proselytizing in his apartment building if they did not stop their religious activity and leave the building. The PGO charged the man with persecuting an individual for engaging in religious activity with the aggravated circumstance of threat of violence, and the case was pending trial at the Tbilisi City Court at year's end.

Jehovah's Witnesses said there were fewer attacks against members compared to prior years because the group, in response to COVID-19 restrictions, shifted to

online activities and ceased conducting public outreach, including door-to-door evangelism. At year's end, Jehovah's Witnesses reported eight religiously motivated incidents to the government, compared with 20 in 2019. Of the reported incidents, one involved physical violence, four involved vandalism or other damage against Kingdom Halls, and three involved interference with religious services or damage of other property or literature. Jehovah's Witnesses said police sent one of the cases to the PGO for prosecution. Police were still investigating the seven others at year's end. According to the Public Defender's Office, the PGO made improvements compared with prior years in classifying crimes as being motivated by religious intolerance, especially in cases involving Jehovah's Witnesses.

As of year's end, the Tbilisi City Court had not ruled on a 2019 case in which an individual verbally insulted, then physically attacked, a Jehovah's Witness who had just left a religious service at a Kingdom Hall in Tbilisi. The victim required medical treatment for injuries to his eye and lip, and officials charged the attacker with "purposeful, less grave damage to health."

Authorities reported no arrests or other progress in open investigations of incidents from past years against Jehovah's Witnesses or their property.

Representatives of the Public Defender's Office's Tolerance Center and minority religious groups continued to report what they termed a widespread societal belief that minority religious groups posed a threat to the GOC and to the country's cultural values.

Minority religious communities, including Muslims, Jehovah's Witnesses, Catholics, and Protestants, continued to report resistance from local communities to their establishment of places of worship and religious schools.

The Media Development Foundation documented 30 instances during the year of religiously intolerant statements on television, online, and in printed media by media representatives, political parties, clergy, public organizations, and others, compared with 55 such incidents in 2019.

In May, Georgian Orthodox clergyman Basil Mkalavishvili told the news website *Georgia and the World*, "As soon as this terrible epidemic [of COVID-19] has spread to all continents, all countries should have started intensified praying, but unfortunately, the reverse has happened. The leaders of the Roman Catholic Church closed their churches, prohibited praying; although their prayers have no

merit anyway, as in the 11th century they swerved from Orthodoxy and embarked on the road of sacrilege.”

There were instances, particularly in Western Georgia, of anti-Islamic rhetoric that took the form of anti-Turkish rhetoric and opposition to perceived “foreign influence.” On February 16, Alliance of Patriots party member Giorgi Kasradze criticized the perceived foreign influence of Turkish Muslims on the country, saying on TV Obiektivi, “They [Turkish Muslims] have tried many times to stage various provocations in this region, including building an Azizie Mosque in the center of Batumi, but 15,000 [Georgian] Muslims, altogether 70,000 people, of whom 15,000 were Muslims, resisted construction of a mosque by Turkish money.”

In April, Sandro Bregadze, leader of the nativist movement Georgian March, told the news outlet *Sakinpormi*, “In Zugdidi [City] the main source of coronavirus is the sect of Jehovah’s Witnesses. Have you noticed how they are concealing this information? Can you imagine the fuss if this disease were spread from the Church congregation? That is the problem – 90 percent of Georgian television networks are belligerent enemies of the Georgian nation, Orthodoxy, and the Georgian state! A national boycott to this offspring of Satan.”

On December 20, Georgian Orthodox Metropolitan Gamrekeli delivered a sermon that included a story about the fourth-century saint Ambrose of Milan. In the story, Saint Ambrose argued against punishing those responsible for a pogrom against the Jewish community on the grounds that Jews had not been held fully responsible for killing Christ, desecrating the Holy Land, or blasphemy. In the sermon, Gamrekeli referred to modern-day Jews as individuals who, under the guise of free speech, defamed the Church, and said, “This is not defined by ethnicity – this is a battle of the lineage of infidels against the Church.” On December 28, the Tolerance Institute issued a statement saying, “Despite the fact that the Bishop refers to the story of Ambrose of Mediolanum, in this context he repeats the narratives of the ‘generation/lineage of infidels’ and ‘fighters against the Church’ in reference to the Jewish people. We consider that citing this particular example and calling Jewish people these derogatory terms (even though attributing them to the life of the saint) reinforces anti-Semitic sentiments and stereotypes today.” In response to the Tolerance Institute’s statement, the Georgian ambassador to Israel defended the Metropolitan’s statement, saying his words had been misinterpreted, as the story was simply the retelling of a historical parable, and the Metropolitan said in the sermon the lessons from the parable

should not apply to one ethnicity. The GOC subsequently issued a statement condemning anti-Semitism.

Section IV. U.S. Government Policy and Engagement

The Ambassador and other embassy officials met with officials from the government, including SARI, the Prime Minister's adviser on human rights and gender equality, and the President's adviser on national minorities, to encourage dialogue between the government and minority religious groups. They also continued to meet with the Public Defender's Office and officials in its Tolerance Center to discuss discrimination against religious groups and stress the importance of interfaith dialogue.

Embassy staff continued to meet with NGOs involved with religious freedom issues, including the Center for Development and Democracy, the Human Rights Education and Monitoring Center, the Tolerance Institute, and the 21st Century Union, to discuss interfaith relations, the integration of religious minorities into society, and the promotion of religious freedom for all.

The Ambassador and other embassy officials visited the Samtskhe-Javakheti, Kvemo Kartli, and Adjara regions on several occasions to meet with local religious leaders, including from the Sunni and Shia Muslim and Armenian Apostolic Orthodox communities. In these meetings, embassy officials advocated interfaith understanding, dialogue, and the peaceful coexistence of all religions. The Ambassador met with Georgian Orthodox Patriarch Ilia II and other senior GOC members on multiple occasions. In her meetings, she stressed the importance of the Church's role in promoting religious diversity and tolerance.

In November, the Secretary of State met with Patriarch Ilia II in Tbilisi and discussed promoting and protecting religious freedom.

The embassy conducted a virtual program for a multiethnic group of young professionals under an exchange program focusing on inclusion, diversity, and equality. The program highlighted, among other things, the importance of freedom of religion. The embassy supported a number of religious freedom projects, including a discussion on human dignity and the GOC that brought together clergy and staff of the Georgian Orthodox patriarchate and public figures, nongovernmental human rights organizations, and scholars studying theology and religion with the goal of increasing awareness of human rights within the Church community. Another project aimed to encourage religious leaders of all faiths to

promote democracy and foster civic engagement in their communities. The embassy's English language programs in Marneuli, Akhalkalaki, and Ninotsminda targeted 25 socially disadvantaged students from religious minority groups.

The embassy continued to support the Tolerance Center and the Council of Religions programs that brought together leaders from different faith communities to monitor and advocate for religious freedom and raise public awareness about discrimination faced by religious and ethnic minorities. The embassy supported the Human Rights Education and Monitoring Center's "Improving Human Rights Conditions for Marginalized Groups through Strategic Litigation" project to protect the rights of minority religious groups through strategic litigation, field work, advocacy, and awareness-raising with regard to problems such as discrimination on religious and ethnic grounds in relations with state and private persons, unequal treatment in the recognition of property and construction rights, and hate crimes.

In September, the embassy announced a cultural preservation award to restore the Jvari Monastery, a Georgian Orthodox monastery near Mtskheta (the former capital of the Georgian Kingdom of Kartli-Iberia) and one of the country's most iconic cultural sites.

The embassy regularly used social media to highlight meetings with government officials, religious groups, and civil society and events promoting religious tolerance.