

SECRETARIAT GENERAL

SECRETARIAT OF THE COMMITTEE OF MINISTERS
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Meeting: 1172 DH meeting (4-6 June 2013)

Item reference: Communication from a NGO (The European Association of Jehova's Christian Witnesses - religious freedom subcommittee) (07/02/13) in the case of Members of the Gldani Congregation of Jehovah's Witnesses and 4 others against Georgia (Application No. 71156/01)

Information made available under Rule 9.2 of the Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements.

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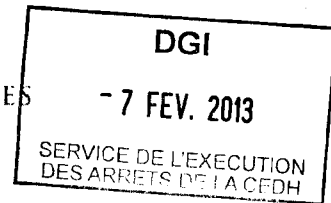
Réunion : 1172 réunion DH (4-6 juin 2013)

Référence du point : Communication d'une ONG (The European Association of Jehova's Christian Witnesses - religious freedom subcommittee) (07/02/13) dans l'affaire « Members of the Gldani Congregation of Jehovah's Witnesses » et 4 autres contre Géorgie (Requête n° 71156/01) (**Anglais uniquement**)

Informations mises à disposition en vertu de la Règle 9.2 des Règles du Comité des Ministres pour la surveillance de l'exécution des arrêts et des termes des règlements amiables.



THE EUROPEAN ASSOCIATION OF
JEHOVAH'S CHRISTIAN WITNESSES
RELIGIOUS FREEDOM SUBCOMMITTEE
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5 February 2013

**Department for the Execution of Judgments of the ECHR
Directorate General of Human Rights and Legal Affairs
Council of Europe
F-67075 STRASBOURG CEDEX**

Re: 71156/01 97 Members of the Gldani Congregation of Jehovah's Witnesses & 4 Others, judgment of 03/05/2007, final on 03/08/2007 – Communication pursuant to Rule 9.2 of the *Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements*

Dear Registrar:

In view of the fact that the execution of the above judgment is still subject to supervision by the Committee of Ministers, we wish to provide you with updated information regarding the implementation of the judgment throughout Georgia.

In our letter dated 24 December 2009, we informed you about a wave of violence perpetrated against Jehovah's Witnesses in Georgia and that was reported on by Georgia's Public Defender in his report for the first half of 2009.

In its letter dated 27 January 2010, the Ministry of Justice of Georgia informed the Committee of Ministers that law enforcement authorities were in fact conducting "effective and complete investigations" whenever an alleged criminal act against Jehovah's Witnesses was reported to the police. Unfortunately, as you can see from the information below and the attached list of events, this is not accurate. To the contrary, in many cases complaints are not properly investigated and the State continues to refuse to prosecute some individuals who repeatedly commit criminal acts against individuals who are Jehovah's Witnesses.

Attached is a detailed non-exhaustive list of criminal acts that have occurred since August 2008 and that have gone unpunished. The following is a brief sampling of some of these incidents.

The 8 February 2009 incident occurred in the Gldani region of Tbilisi, which is where the Gldani Congregation was savagely attacked in 1999. In the 2009 incident, Madona Zakaraia and Mariam Gegechkori, a 14-year-old girl, were pushed down a flight of stairs. Mariam Gegechkori hit her head against a wall, suffering a brain concussion that resulted in a five-day hospital stay and required long-term medical treatment.

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A criminal complaint was filed and repeated visits and inquiries to the investigator brought no results. Now four years later, neither the victim nor her attorney has ever been notified of the results of the investigation. This is in spite of the fact that the perpetrator, a 60-year-old man, had been immediately identified at the time of the attack.

In the 19 February 2009 incident involving criminal acts against the Kingdom Hall (church of Jehovah's Witnesses) located on Guramishvili Street in Tbilisi, an effective and complete investigation was never carried out. This is seen by the fact that similar acts of vandalism against the same property occurred again on 6 June 2009, and 18 December 2009. Several visits were made to the prosecutor's office regarding these incidents and a video recording was even provided to the investigator. Again, neither the victims nor their attorney were ever notified of the results of the investigation.

In the incident of 21 March 2009 in the city of Sagarejo, two Jehovah's Witnesses were assaulted and beaten on their return home from a religious meeting. Policemen witnessed these events but failed to intervene. The criminal investigation was terminated by the prosecutor. His decision was appealed and the prosecutor was ordered to reopen the investigation. Neither the victims nor their attorney were ever notified of the results of the investigation.

In the 13 December 2009 incident in Martvili, the attackers were identified by name and were known government workers. A criminal investigation was opened and the investigator closed the investigation on the basis of the testimony of friends and family members of the aggressors. The victims' testimony was totally ignored. Such ineffective actions by law-enforcement authorities have led to a climate of impunity and ongoing harassment in the region.

In the 22 October 2009 attack in Tbilisi where a man beat Giorgi Muradov and then pointed a gun at him, threatening to kill him, it was later learned that the vehicle involved in the incident actually belonged to the Ministry of the Interior. However, instead of carrying out a serious and effective investigation, the investigator simply claimed that because the car was securely parked, it was impossible that it was involved in the incident. Neither the victims nor their attorney were ever notified of the results of the investigation.

The prosecutor's inaction has also emboldened aggressors like Irakli Khomeriki, an Orthodox priest, who has attacked and beaten Jehovah's Witnesses on several occasions. (See the following incidents: 9 and 23 December 2008, 3 July 2009, and 4 December 2009.) All efforts to stop the criminal actions of this priest have failed.

On 20 and 21 October 2009, in the city of Zugdidi, mob action against workers, who were building a Kingdom Hall, resulted in several criminal acts including physical assaults against some of the workers. Policemen called to the scene did not react. Criminal complaints were filed and a criminal investigation was instigated on 24 March 2010. Neither the victims nor their attorney were ever notified of the results of the investigation.

The 18 June 2012 attack by neighbours on a group of 100 worshippers should have been promptly investigated and action should have been taken immediately against the aggressors. However, nothing was done.

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Thus, it can hardly be said that an “effective and complete” investigation is being carried out in the many incidents involving criminal acts against Jehovah’s Witnesses. In fact, as can be seen from the incident list, because of the inaction on the part of the law-enforcement officials, religiously motivated criminal acts continue in different parts of Georgia, often with total impunity.

In view of the failure by the Government of Georgia to fully implement the principles set out by the European Court in the *Gldani* judgment, it was necessary for Jehovah’s Witnesses to file a new application with the European Court on 27 January 2011 entitled *Tsulukidze and Others v. Georgia*. This new application involves nine of the incidents which appear on the attached list. These incidents are also similar to those set out in the pending application entitled *Begeluri and Others v. Georgia* (application no. 28490/02).

Should you require any additional information about any of the incidents which appear on Annex I, please do not hesitate to contact us.

Yours faithfully,



Marcel Gillet



Luca Toffoli

Attachment: Annex 1

Annex I

UNRESOLVED CRIMINAL INCIDENTS IN GEORGIA AUGUST 2008 TO NOVEMBER 2012

Communication re: 71156/01 97 Members of the Gldani Congregation of Jehovah's Witnesses & 4 Others, judgment of 03/05/2007, final on 03/08/2007

7 August 2008: In the city of Khashuri, Bakhva Zazikashvili attacked Gocha Gotsiridze and Vladimir Kharazashvili. He physically and verbally assaulted them, hitting them in the face and spitting at them, because they are Jehovah's Witnesses. A criminal complaint was filed with the Khashuri Prosecutor's Office. In September 2008, the Prosecutor's Office decided to end the preliminary investigation claiming there was no evidence of a crime.

26 September 2008: Tamar Meskhi and Yekaterine Shubitidze were walking in the village of Khreiti (Chiatura District). The mayor of Khreiti, Gela Mikadze, recognized them as Jehovah's Witnesses. He got out of his car, started to yell abusively at them, and then pushed Shubitidze. He prohibited them from discussing the Bible with residents there. A criminal complaint was filed with the General Prosecutor's Office and a copy was sent to the Ombudsman. Victims and their attorneys were never advised of the results of the investigation.

16 October 2008: Rakhila Nasibova and Nino Gvinianidze were having Bible based discussions in an apartment block located in Tbilisi. They were verbally abused and physically attacked by a resident who pushed and kicked Gvinianidze. This man had previously been aggressive towards Jehovah's Witnesses. The exact address of the aggressor is known. A criminal complaint was filed with the General Prosecutor's Office and a copy was sent to the Ombudsman. A letter from the Ombudsman stated that no criminal case was instigated; however, the attacker had signed a document stating he would refrain from harassing the victims. Victims and their attorneys were never advised of the results of the investigation.

28 October 2008: Liana Demurashvili and Manana Gulmagarashvili were discussing the Bible with residents of an apartment building, in the Gldani district of Tbilisi. Mikheil Nikoloizishvili, who lived in the building verbally abused them, grabbed Demurashvili by the arm, squeezed it very hard and forcibly took her out of the building. She suffered from pain in her arm for two days after the incident. This man had participated in the attack on the Gldani Congregation of Jehovah's Witnesses on 17 October 1999, along with Vasili Mkalavishvili (who was convicted of religiously motivated assault). A criminal complaint was filed with the General Prosecutor's Office and copies were sent to the Ministry of Internal Affairs and the Ombudsman. Victims and their attorneys were never advised of the results of the investigation.

15 November 2008: In the village Lashisghele (Lanchkhuti District), Bidzina Tabidze and Nino Kvesitadze were speaking with people about the Bible. Zura Qartchava, an inhabitant of the village, verbally assaulted them and hit Tabidze in the face because she is one of Jehovah's Witnesses. A week earlier, Merab Qartchava, father of Zura Qartshava, had verbally assaulted Kvesitadze and tore up some of her personal literature. Tabidze and Kvesitadze filed a criminal complaint with the police. Victims and their attorneys were never advised of the results of the investigation.

9 December 2008: In the village of Akhalkalaki (Kaspi District), a priest, Irakli Khomeriki, saw Paata Melkoniani and Besik Orbelashvili walking in the street and recognized them as Jehovah's Witnesses. He stopped them and began punching Orbelashvili in the back.

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- **23 December 2008:** The same priest, Irakli Khomeriki, ran into Melkoniani and Orbelashvili again and verbally abused them. These were not the first times that Khomeriki harassed Jehovah's Witnesses. Previously, on 20 March 2007, the same priest grabbed two women, Ia Gigilashvili and Iza Zubiashvili, by the arms and tried to force them into a church. The victims in these three events filed complaints with the police in the city of Kaspi. Copies of the complaints were sent to the General Prosecutor's Office and the Ombudsman. Criminal cases were instigated under Article 155 of the Criminal Code (Illegal Interference in the Right to Perform Religious Rituals). Later, victims received a letter from the Ombudsman informing them that the criminal cases had been terminated. The letter also stated that Khomeriki had signed a document promising that he would not harass Jehovah's Witnesses again. In spite of this, he continues his aggressive behaviour with impunity. (see other incidents on 3 July 2009 and 4 Dec 2009). Neither the victims nor their representatives received the decision on the termination of these criminal cases. (This is case #5 of pending application *Tsulukidze and Other v. Georgia*, no. 14797/11)

17 January 2009: Jumber Kutsia and Omar Patshulia were speaking with people about the Bible in the village of Shukhuti (Lanchkhuti District) when Vitali Torotadze, verbally and physically assaulted them. They were forced to leave the village. On 6 February 2009, the police wrote a letter to the victims stating that during their investigation they did not find any evidence of a crime. However, the same letter stated that Torotadze had received a warning from law enforcement agencies.

21 January 2009: In the city of Tslenjikha, in the region of Samegrelo-Zemo Svaneti, Mamuka Adonia and others were working on the construction site of a Kingdom Hall of Jehovah's Witnesses. The same day, neighbours placed a large cross in front of the site. On 21 January 2009, members of the local congregation of Jehovah's Witnesses advised police a demonstration was planned for 27 January 2009 in front of the property. They asked the police to provide protection. On 27 January 2009, a mob gathered in front of the site demanding that the construction stop. During this event, vandals threw stones at the building. The police took no action to prevent this aggression. A criminal complaint was filed with the police. Victims and their attorneys were never advised of the results of the investigation.

28 January 2009: Near the village of Zeda Alisubani (Terjola District), David Bluashvili and Giorgi Ghvinashvili were speaking with people about the Bible when David Zarnadze verbally abused them and then threatened them with a gun. He also shoved them and prevented them from entering the village. Victims filed a criminal complaint on 29 January 2009 with the police in Terjola and a criminal case was instigated under Article 156 of the Criminal Code (Persecution). The Prosecutor's Office made a decision on 27 April 2010 to terminate the criminal case. On 17 May 2010, the victims appealed this decision with the Zestafoni District Court. On 31 May 2010, the Court dismissed the appeal. On 14 June 2010, the victims appealed to the Kutaisi Appeal Court. On 24 June 2010, the Kutaisi Appeal Court denied the appeal.

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29 January 2009: Mirza Ikoshvili learned that someone was throwing stones at the Kingdom Hall in Sagarejo. When he arrived, the vandals began throwing stones at him. Tornike Enageli was identified as one of the vandals. When some members of the congregation returned in the evening, there was a bottle full of fuel on the ground and the doorbell was damaged. The victims filed a criminal complaint with the police, a criminal case was instigated under Article 239 (Hooliganism), and an investigation was started. Ikoshvili visited the investigator several times and was told that the investigation was still on going. In spite of having received a warning from the police, on 7 May 2009 near School No. 4 in Sagarejo, Enageli verbally assaulted and threatened Ikoshvili. A criminal complaint was filed with the police in Sagarejo and the General Prosecutor's Office. Later police wrote that Enageli had received another warning that he must not harass Ikoshvili. Victims and their attorneys were never advised of the results of the investigation.

8 February 2009: In an apartment building in the Gldani region of Tbilisi, Mariam Gegechkori and Madona Zakaraia were speaking with people on Biblical topics when a man came out of his apartment. He became verbally abusive and pushed Gegechkori and Zakaraia down a flight of stairs. When they got up, he grabbed Gegechkori, a 14-year-old girl, by the collar and violently threw her down another flight of stairs. She was seriously injured when hit her head against a cement wall. As a result, she needed emergency medical treatment and was hospitalized for several days. She had suffered a brain concussion that required long-term treatment. Gegechkori and Zakaraia filed a criminal complaint with the police. The police established the identity of the man who had attacked them as Avtandil Ujmajuridze. Attorney Manuchar Tsimintia went with Gegechkori and Zakaraia to the investigator several times. He also called the investigator four times to inquire about the investigation. Victims and their attorneys were never advised of the results of the investigation.

19 February 2009: In Tbilisi, vandals threw rocks at the door and windows of an apartment situated in the same building as a Kingdom Hall where Jehovah's Witnesses regularly hold meetings. Some young men verbally abused the residents the apartment. For some time, vandals had been regularly throwing stones at the building resulting in broken windows, damage to the air-conditioning system and furniture inside the building. A criminal complaint regarding these incidents was sent to, Goderdzi Natroshvili, the chief of the Gldani Nadzaladevi Police Department. Copies of this complaint were sent to the General Prosecutor's Office and the Ombudsman. Zura Khizanishvili who is one of the owners of this property located at 12A Guramishvili St. inquired several times about the investigation. Victims and their attorneys were never advised of the results of the investigation.

- **6 June 2009:** Vandals again desecrated the same Kingdom Hall located on Guramishvili Street. Vandals damaged doors and started a fire beside a window. The vandals again verbally assaulted the residents of the apartments in this building. There is a video tape of these events and the vandals can be identified. On 24 June 2009, victims filed a criminal complaint with the General Prosecutor's Office and the Ombudsman. On 31 August 2009, the Prosecutor's Office wrote a letter to the Ombudsman stating that an investigation was being conducted to identify the attackers. The lawyer of the victims went to the investigator

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several times to inquire about the investigation but he did not receive any information. Victims and their attorneys were never advised of the results of the investigation.

- **8 December 2009:** Further acts of vandalism took place at this Kingdom Hall. Again, a criminal complaint was filed with the police who detained some young men and later released them. On 12 October 2010, the lawyer of the victims filed a motion with the Prosecutor's Office. This motion was filed along with video recordings of the 6 June 2009 incident. Victims and their attorneys were never advised of the results of the investigation.
- **18 December 2009:** There were further acts of vandalism. Police detained some young men and an investigation was started. Victims and their attorneys were never advised of the results of their investigation. The residents living in this apartment had to leave and change their place of residence, since it was impossible to live in those conditions.

20 February 2009: In Dadiani Street in Tbilisi, a young man came up to Guram Noniantsi and Georgi Mghebrishvili and asked them some Bible questions. The man was drunk and became argumentative. Two other drunken men came out of a gambling house and the three men together began punching Noniantsi and Mghebrishvili. At that time Dato Abuladze and David Ogbaidze, two of Jehovah's Witnesses, happened to walk by. One of the drunken men dragged Noniantsi down the street and stole his bag. Another threatened Noniantsi with a knife. One of their acquaintances called the police and when they arrived, the attackers ran away. The police tried to catch the attackers but were not able to. The Gldani Nadzaladevi 9th Police Department instigated a criminal case and the police asked Noniantsi to get a medical examination. Victims and their attorneys were never advised of the results of the investigation.

26 February 2009: A group of vandals threw stones at the Kingdom Hall in Tbilisi (Didi Digomi District). As a result, the building was damaged and the window of a car belonging to Avtandil Chiqobava was broken. Giorgi Oboladze and Avtandil Chiqobava saw some teenagers running away. They ran after them and found a group of teenagers in a courtyard still tired from running. They denied that they had thrown the stones. Victims called the police but they did not detain or question the teenagers. Since then, graffiti with slurs against Jehovah's Witnesses has appeared on the walls of the Kingdom Hall. A 21 March 2009 letter from the Vake-Saburtalo District Police Station No. 4 stated that they instigated a criminal case on 26 February 2009. Victims and their attorneys were never advised of the results of the investigation.

21 March 2009: In Sagarejo, Aleksandre and Kakhaber Nachkebia were going home after attending a religious meeting of Jehovah's Witnesses. On the way, some drunken men got out of a BMW car and verbally abused Aleksandre and Kakhaber Nachkebia. One of them hit Aleksandre in the face and when he fell down, they started to kick him. Some police officers witnessed these events but did not detain the attackers. The victims filed a criminal complaint with the police. On 30 April 2009, the Prosecutor's Office terminated the investigation. On 9 June 2009, the victims filed a complaint against this decision with the Sagarejo District Court. The court granted the appeal and returned the case to the Prosecutor's Office for further investigation. Victims and their attorneys were never advised of the results of the investigation.

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21 March 2009: In Tbilisi on Zandukeli Street, Tina Bigvava and Mziuri Gabunia were speaking with people about the Bible when a man named Merab verbally assaulted them and shoved them several times. Another man who witnessed these events stopped the attacker. A criminal complaint was sent to the General Prosecutor's Office and to the Ombudsman. Later, the police informed victims that the criminal case was closed since the attacker could not be identified. However, the victims never received the decision on the termination of the criminal case.

17 April 2009: In Senaki at a Kingdom Hall under construction, vandals poured fuel on construction materials and set them on fire. Workers at the site put the fire out. The victims filed a criminal complaint and statements with the police. A few days later on 20 April 2009 while some members of the congregation were at the construction site the vandals returned and this time broke windows on the workers' car. When the victims called the police, two of the police officers who came appeared to be drunk. During the night of 12 June to 13 June 2009, vandals threw a hand grenade at the hall under construction. Although nobody was hurt, there was damage to the walls and roof of the building. A criminal complaint was filed with the police, the General Prosecutor's Office, and the Ombudsman. Victims and their attorneys were never advised of the results of the investigation.

13 May 2009: In Sagarejo, Levani Gutsaevi was working as a night watchman inside a Kingdom Hall when a man named Giorgi began kicking the door and verbally abusing Jehovah's Witnesses. When another one of Jehovah's Witnesses, Mirza Ikoshvili arrived Giorgi, who seemed to be under the influence of drugs or alcohol, kept on shouting and eventually punched Ikoshvili. The victims filed a criminal complaint with the police. Since the police did not want to start an investigation, on 25 May 2009, the victims filed a complaint against the inaction of the police with the General Prosecutor's Office and sent a copy to the Ombudsman. Neither the victims nor their representatives received any reply to this complaint.

22 June 2009: At the Kingdom Hall on Chubinashvili Street in Tbilisi vandals threw explosives into the yard. Although, no one was hurt in the explosion, the walls and a large vase were damaged. A criminal complaint was filed with the General Prosecutor's Office and a copy was sent to the Ombudsman. A letter dated 23 September 2009, from the Ombudsman, stated that the criminal case was terminated. Victims and their attorneys were never advised of the results of the investigation.

3 July 2009: In the village of Akhalkalaki (Kaspi District) Paata Melkoniani and Besik Orbelashvili were speaking with neighbours when priest Irakli Khomeriki approached them and hit Melkoniani in the face in front of eyewitnesses. The victims tried to leave but Khomeriki chased them and continued threatening them. A criminal case was initiated and Khomeriki received an official warning. However, he stated that he is "not afraid of the police". On 7 July 2009, a complaint was filed with the General Prosecutor's Office and the Ombudsman. The investigator told the victims that the priest had received an official warning. The investigation was closed. This priest has been harassing Jehovah's Witnesses for years. He attacked Melkoniani and Orbelashvili several times in the past and even signed an undertaking to stay away from them. In spite of this, he continues his aggressive behaviour with impunity. (See other incidents on 9 and 23 December 2008 and 4

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December 2009). (This is case #5 of pending application *Tsulukidze and Other v. Georgia*, no. 14797/11)

17 July 2009: In the TMK region of Tbilisi, Shota Chiabrishvili was in the public ministry. He offered a religious booklet to Giorgi Leonidze who accepted it and then tore it apart. When Chiabrishvili tried to leave, Leonidze put Chiabrishvili in a headlock and hit him on the head. Chiabrishvili ran away but Leonidze caught up to him, threw him on the ground, and began kicking and punching him continuously. About that time, fellow Witness, Maia Lalashvili came and attempted to stop the attack stating that she would call the police. Leonidze responded that he was a police officer and showed his identification papers. An unidentified woman, who was also at the scene, calmed Leonidze down and led him away. A complaint was filed on 17 July 2009 and a criminal case was initiated. Chiabrishvili and Lalashvili were able to identify Leonidze from photographs at the police station. A medical report of Chiabrishvili's injuries was submitted to authorities. Victims and their attorneys were never advised of the results of their investigation. (This is case #4 of pending application *Tsulukidze and Other v. Georgia*, no. 14797/11).

24 July 2009: In Senaki on Mshvidoba Street, an unidentified man started threatening workers at the construction site of a Kingdom Hall. He threw stones at Jumber Sirginava who hid behind a wall while the attacker continued throwing stones for about 15 minutes. Workers were attacked by several other men when they tried to approach the one throwing stones. One worker, Kakha Todua, was head-butted in the face. Victims called the police but when they arrived, they did not take any action against the attackers. A complaint was filed with the General Prosecutor's Office. Victims and their attorneys were never advised of the results of their investigation.

24 August 2009: Jora Emrashvili and Gultaz Jikia were in the public ministry in an apartment building in Tbilisi (Vazisubani District) when a man named Dato began verbally abusing them and threatened to set his dog on them. When they tried to leave two young men stopped them at the entrance and verbally abused them. After that, they shoved Emrashvili and then forced them out of the building. On 25 August 2009, information was provided to the General Prosecutor's Office and the Ombudsman. This is not the first time that this man called Dato harasses Emrashvili. About two years ago, he stole his Bible and tried to hit him. Victims and their attorneys were never advised of the results of their investigation.

16 October 2009: Bachana Egiashvili and Luka Korkotadze were in the public ministry in Tbilisi (Gldani District), talking to a woman. When they were leaving, a neighbour, Berdia Kurdiani, stopped them. He was aggressive and threatened to call the police. He would not let them leave and forced them to call the woman to whom they had just spoken. When she came to the door Kurdiani told her they should call the police and tell them that the Witnesses had harassed them. Egiashvili and Korkotadze said they had no objection to the police being called. Kurdiani then became more aggressive, hit them in the face, and kicked them. The Gldani police, the General Prosecutor's

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Office, and the Ombudsman were all notified of the incident. Victims and their attorneys were never advised of the results of their investigation. (This is case #6 of pending application *Tsulukidze and Other v. Georgia*, no. 14797/11)

20 October 2009: In Gvankiti (Terjola District), Nodar Butskhrikidze and Nana Kereselidze were talking to an individual about the Bible when three men approached. One of them, Zaza Kurtaadze, began verbally abusing them, took some of their religious literature, tore it into pieces, and attempted to hit them. Information was provided to the local police, the General Prosecutor's Office, and the Ombudsman. The Prosecutor's Office decided to terminate the proceedings on 27 April 2010. An appeal was filed with the Terjola District Court. The appeal was dismissed on 24 May 2010. The decision was appealed to the Kutaisi Appeal Court and on 29 June 2010, the appeal was dismissed.

20 October 2009: During the construction of a Kingdom Hall in Zugdidi, at about 10:00, a mob of approximately 50 people came on to the construction site. They destroyed a wire fence and demanded the Witnesses stop construction and leave. The police arrived but did not take any action to disperse the mob. By noon, property owners were forced to halt the construction. At 20:00, a mob of about 150 gathered and began shouting verbal abuse and threats. They removed the cover of a well and spit into it. Aggressors said they would return the next day.

- **21 October 2009:** At 9:30, approximately 20 neighbours lead by Dato Grigolia and Vakhtang Tskhadaia entered the same property and attacked the workers. They beat Karlo Mirtskhulava, Romeo Tordia, Irakli Shonia, and Roman Gogua and destroyed their tools. The police arrived but did not take any measures against perpetrators. That evening another mob gathered and some entered the site. Due to the tense situation, the work was stopped. Over the next few days, anyone who started working was chased away. The events of these two days, including the beating, were videotaped and the tapes submitted to police. Mob organizers can be identified and are known to victims and police. Victims and their attorneys were never advised of the results of their investigation.
- **15 February 2010:** A mob of approximately 50 people destroyed a cement block fence around the same property. Police came to question victims. During this time, the mob along with its leader, Vakhtang Tskhadaia, gathered in front of the police station openly declaring they would not allow the construction to go ahead. The victims filed a complaint with the authorities but no one was detained. Victims and their attorneys were never advised of the results of their investigation. (This is case #8 of pending application *Tsulukidze and Others v. Georgia*, no. 14797/11.)

22 October 2009: In Tbilisi (Vazisubani District), Giorgi Muradovi, Tamuna Aslanishvili, and Mari Tskhadadze were on the street when a group of people approached them, started to speak aggressively, and then left. Approximately ten minutes later, several men arrived by car. It was a blue jeep with plate number PPD-018. One of the men got out of the car and threatened to shoot

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UNRESOLVED CRIMINAL INCIDENTS IN GEORGIA AUGUST 2008 TO NOVEMBER 2012

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Muradovi. He began kicking Muradov, threw him to the ground, and then continued kicking him. He then pointed a gun at Muradov and threatened to kill him. Muradov ran away but the man chased after him threatening to shoot. Fellow Witnesses, Mushni Gakharia and Shalva Berdzenidze, were on the other side of the street and came over to help. The attackers turned on Gakharia. They threw him to the ground and kicked him. The victims managed to call the police after which the attackers left. The police arrived in 10-15 minutes, took the victims to the police station, and initiated a criminal case. Muradov suffered a cut lip and other injuries from the attack. Victims were able to identify the license plate number of the car used by the aggressors. Information was also provided to the General Prosecutor's Office and the Ombudsman. During the investigation, it was established that the vehicle used during the attack belonged to the Ministry of Internal Affairs. Victims and their attorneys were never advised of the results of their investigation. (This is case #9 of pending application *Tsulukidze and Other v. Georgia*, no. 14797/11.)

22 October 2009: In Tbilisi (Digomi District), the walls of Kingdom Hall were vandalized and a car belonging to Davit Bregadze parked near the Hall was damaged. The identity of the vandals is unknown. This information was provided to the local police, the General Prosecutor's Office, and the Ombudsman. Victims and their attorneys were never advised of the results of their investigation.

4 December 2009: In the village of Akhalkalaki (Kaspi District), Irakli Khomeriki, an Orthodox priest, aggressively prevented Paata Melkoniani and Beso Orbelashvili from getting on a bus. Even though the police had already warned Khomeriki several times not to harass Jehovah's Witnesses, no further charges were brought against him. This priest has been harassing Jehovah's Witnesses for years. He attacked Melkoniani and Orbelashvili several times in the past and even signed an undertaking to stay away from them. In spite of this, he continues his aggressions with impunity. (See other incidents of 9 and 23 December 2008 and 3 July 2009) (This is case #5 of pending application *Tsulukidze and Other v. Georgia*, no. 14797/11.)

13 December 2009: In Martvili, five men attacked Kakha Tsulukidze and Tsotne Soselia. They kicked and spit on them and threatened them with serious injury if they did not leave the area. One attacker, Zviad Beria, works for the Martvili Passport Department of the Ministry of Justice. Another, Bachana Kortkhonjia, works for the municipality. A third one, Merab Silagava, works at the Martveli District Court. A complaint was filed with the Main Prosecutor's Office. On 4 May 2010, the Prosecutor's Office terminated the proceedings. Victims appealed this decision with the Martvili District Court and on 16 June 2010, this court dismissed the appeal. Victims then appealed this decision to the Kutaisi Appeal Court and on 28 July 2010, this court dismissed the appeal. (This is case #1 of pending application *Tsulukidze and Others v. Georgia*, no. 14797/11.)

30 December 2009: In order to improve the electric supply to a Kingdom Hall in Batumi, workers from a utility company were digging a trench across the road and through the parking lot of the apartment building across the street. Residents of the apartment building attempted to halt the work.

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A mob of more than 30 residents gathered causing a commotion. The police were called and after arguing with the police for two hours, the mob dispersed. Later, at approximately 2:00, in the morning, another argument started between one of the neighbours and the electrical workers. The police were called again and the neighbour was arrested and taken away. The following day one of the cars parked next to the Kingdom Hall was vandalized. The police were called and an investigation was started. Victims and their attorneys were never advised of the results of their investigation.

7 March 2010: Two intoxicated men attacked the Kingdom Hall in Tbilisi (Orkhevi District). They threw stones and broke windows causing damage inside the building. During the attack, they shouted insults at Jehovah's Witnesses. A complaint was filed with the General Prosecutor's Office and the Ombudsman mentioning that the previous owners had started a campaign asking the neighbours to sign a statement against Jehovah's Witnesses. They also organized demonstrations to stop Jehovah's Witnesses from using their Kingdom Hall. These demonstrations were held on 9 April 2010 and 2 May 2010. Victims and their attorneys were never advised of the results of their investigation. They later learned the Prosecutor's Office terminated the investigation.

27 March 2010: In the city of Rustavi, an unidentified man physically assaulted Shalva Khutsishvili because he is one of Jehovah's Witnesses. The police were called but the attacker could not be identified since he had fled. Khutsishvili went to the hospital to receive medical assistance. A criminal case was instigated. The victim and his attorneys were never advised of the results of their investigation.

13 April 2010: In Lanchkhuti (Lanchkhuti District), Bidzina Tabidze and Giorgi Gurgenidze were visiting an acquaintance when four men came out of the house. Two of them assaulted Tabidze and Gurgenidze, punching and kicking them in the head and in the stomach. After that, they chased them out of the apartment. A criminal complaint was filed with the police. Victims and their attorneys were never advised of the results of their investigation. (This is case #7 of pending application *Tsulukidze and Other v. Georgia*, no. 14797/11.)

14 April 2010: In the village of Didi Ckhoni (Martvili District), Lasha Jojua beat Kakha Tsulukidze and threatened to kill him. Tsulukidze went to the hospital to receive medical assistance. A criminal complaint was filed with the police. There were witnesses to the attack and the doctor advised the police of the victim's injuries. The victim and his attorneys were never advised of the results of their investigation.

- After this event, during May and June, on numerous occasions Jojua threatened Tsulukidze and other Jehovah Witnesses. Police have been unwilling to deal with his aggressive behaviour. (This is case #1 of pending application *Tsulukidze and Others v. Georgia*, no. 14797/11.)

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29 April 2010: In Atsani (Lanchkhuti District), three men attacked Elguja Zakareishvili and Nino Bakhtadze. They verbally abused them, stole their bags, and tore up their literature. They threatened them and chased them out of the village. Law enforcement agencies were informed. Victims and their attorneys were never advised of the results of their investigation.

3 June 2010: In Dzevri (Terjola District), Ramaz Panchulidze, the Village Chief, stopped his car beside Davit Devidze and Teimuraz Tsartsidze and verbally abused them. He threatened to kill them and when driving away tried to run them down. The police were informed but on 30 June, the decision was made to terminate criminal proceedings.

25 July 2010: In Dzevri (Terjola District), a man verbally abused and threatened Papala Devidze and Bezhan Tsartsidze. A criminal case was instigated. Victims and their attorneys were never advised of the results of their investigation.

12 September 2010: In Samtredia, Leila Kvintradze and her family, who are Jehovah's Witnesses, repeatedly received threats from their neighbour Otari Sutidze. Recently, Sutidze attacked 68-year-old Mr Kvintradze. He threw him on the ground and kicked him until the elderly man lost consciousness. Sutidze had an axe in his hands. Ms Kvintradze called the police and an ambulance and a criminal case was instigated. Victims and their attorneys were never advised of the results of their investigation. After these events, Mr Sutidze continued his aggressive behavior toward the Kvintradze family. On September 04, 2012, when Demuri Kvintradze tried to settle the conflict between the two families, the situation got out of hand and the police came and took Sutidze to the police station. After this incident, on September 27, inspector Ilia Tevzadze questioned the neighbors regarding this incident and a criminal case was instigated. but the and we are waiting for further development. Victims and their attorneys have not been provided any further information.

16 December 2011: While Ertaoz and Tornike Khaduri were in the public ministry in Qareli, a priest named Raphael approached with his car, started to verbally abuse them, and tried to steal their belongings. He was aggressive toward them, shouting and insisting that they never return to the village. The police were notified. A few days later Ertaoz and Tornike Khaduri were called in to the Police Station where they were questioned. Victims and their attorneys were never advised of the results of their investigation.

15 April 2012: In Sagarejo, Mirza Ikoshvili was in the public ministry on D. Aghmashenebeli St. when he was verbally and physically assaulted. He filed a complaint with the Sagarejo Police. On 18 April, investigator, Beka Esiashvili, called Ikoshvili to the police station. The investigator and the police officers manifested a negative attitude toward him. One even said that if Ikoshvili approached him in the ministry he would probably assault him. The investigator himself told Ikoshvili that the reason that he was attacked was because he was irritating people. The person who had assaulted

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Ikoshvili on 15 April 2012 was never held accountable. The victim and his attorneys were never advised of the results of their investigation.

31 May 2012: In Rustavi, Nukri Tsopurishvili was coming from a meeting of Jehovah's Witnesses when two strangers attacked him verbally and physically. Nino Asanidze and Tamila Martinenko witnessed the attack. They called the police and went to the station to give statements. The next day they were called back to identify the aggressors from photographs. They were able to identify Lasha Tsiklauri who had been released from prison on probation for drug abuse. He came to the police station with his brother who was the other person that had attacked Tsopurishvili. They both confessed and apologized to Tsopurishvili. According to the investigator, the apology was sufficient and the aggressors did not deserve any other punishment. A complaint was sent to the Ministry of Justice. Victims and their attorneys were never advised of the results of their investigation.

31 May 2012: In Oni, Ina Sherazadishvili, a schoolteacher took one of her students, Nino, who was 13 years old, to the Mtavarangelozhi Church and had her baptized into the Orthodox Church. Father David Rghvinadze assisted with the baptism. This was done without the permission of her mother, Tinatin Daushvili. (Nino's father passed away in 2008) The schoolteacher had been giving religious lessons to Nino after school as well as during class even though her mother had instructed the teacher to stop doing so on two occasions. Others teachers and the school director were aware of this. Nino has been so traumatized by this incident that she has needed on-going professional psychological treatment. Complaints were filed with the Ministry of Education, the Ombudsman, the Ministry of Justice, and the Secretary of the National Security Council. No action has ever been taken against the school teacher, the school director and the priest for their wrongful action.

18 June 2012: In Ponichala, neighbours disrupted a religious meeting and shouted verbal abuse at about 100 worshippers gathered there. Some of the congregation members were physically assaulted. These neighbours have on several occasions threatened individual members of the congregation in the past. Two victims, Giorgi Boqolishvili and Giorgi Apkhazava, filed complaints with the Ministry of Interior and the Ombudsman. A criminal case was instigated but no action has been taken against the attackers. Victims and their attorneys were never advised of the results of their investigation.

4 July 2012: In Tbilisi, unidentified individuals damaged the security camera installed on a door of the Branch Office of Jehovah's Witnesses. The actions of the vandals were recorded on the security camera. Their faces and actions are seen clearly on the video recording. A complaint was filed with the Isani-Samgori MOIA Division. Victims and their attorneys were never advised of the results of their investigation.

6 November 2012: In Tbilisi, three young men approached the entrance of the Branch Office of Jehovah's Witnesses and threw stones in the yard. They were shouting and using abusive language. The building's security cameras recorded these events. A complaint was filed with the Isani-Samgori

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MOIA Division. Victims and their attorneys received a letter from the Isani-Samgori MOIA Division stating there were no criminal actions in this case.

24 November 2012: In Akhmeta, the Kingdom Hall was vandalized. Doors and windows on the property were damaged by unidentified vandals. Teimuraz Shashiashvili, who takes care of the Kingdom Hall, was questioned on 27 November and a criminal case was instigated. On 5 December 2012, Attorney Manuchar Tsimintia along with Shalva Katsiashvili went to Akhmeta and met with the investigator. Victims and their attorneys were never advised of the results of their investigation.