ANNEXE : POINT DE VUE DU GOUVERNEMENT

L'annexe qui suit ne fait pas partie de l'analyse et des propositions de l'ECRI concernant la situation en Géorgie.

Conformément à sa procédure de monitoring par pays, l'ECRI a ouvert un dialogue confidentiel avec les autorités de la Géorgie sur une première version du rapport. Un certain nombre des remarques des autorités ont été prises en compte et ont été intégrées à la version finale du rapport (qui ne tient compte que de développements jusqu'au 17 juin 2015, date de l'examen de la première version).

Les autorités ont demandé à ce que le point de vue suivant soit reproduit en annexe du rapport de l'ECRI.

The Government of Georgia Comments on the ECRI report on Georgia (fifth monitoring cycle) *2016*

Introduction

The present comments of the Government of Georgia (hereinafter – the GoG) are provided with respect to the ECRI report on Georgia (fifth monitoring cycle) (hereinafter – the Report). The ECRI experts paid a visit to Georgia on 23-27 March 2015 and had series of meetings. In the context of the decision of the Committee of Ministers Deputies' of the Council of Europe,[1] we regret that it was not possible for the experts to visit the occupied territories of Georgia where the human rights are frequently violated.

While the efforts and the work done by the experts are fully appreciated, the GoG would like to make its clarifications on some of the points of the Report to shed more clarity on the racism and intolerance related situation in Georgia. For this purpose, the relevant excerpts from the Report are accompanied by the GoG comments:

1) P. 7, Summary:

"Furthermore, the Georgian authorities implemented the 2009-2014 National Concept for Tolerance and Civic Integration and its associated Action Plan. These inter-ministerial integration tools aimed at improving the situation of historical ethnic minorities in the country and focused on six strategic directions: rule of law, education and state language, media and access to information, political integration and civic participation, social and regional integration, and culture and preservation of identity."

GoG Comment:

The GoG kindly clarifies that the Concept and respective Action Plan aim at contributing to the protection of the rights of ethnic minorities, providing civic integration, and supporting the establishment and promotion of a tolerant environment.

2) P.7, Summary:

"Hate speech against ethnic and religious minorities, as well as against LGBT persons, continues to be a widespread problem in Georgia. Physical attacks against these groups also occur with worrying frequency. The freedom of religion of Muslims and Jehovah's Witnesses was impeded as a result of violent local protests. There is also a general homo- and transphobic climate in Georgian society and LGBT groups were attacked repeatedly, in particular on the occasion of organising public events to mark the International Day against Homophobia and Transphobia."

GoG Comment:

According to the official statistics of the Ministry of Internal Affairs (MIA) of the recent years, there are no grounds to conclude that those cases take place at worrying frequency. The relevant statistical data from the MIA is attached (Annex).

Since the Report covers the situations as of 17 June 2015, it would be fair to underline that no confrontation took place in 2014 and 2015 on 17 May on the International Day against Homophobia and Transphobia.

[1] The decision taken at the 1227th meeting calls on the Russian Federation to facilitate and grant unrestricted access to the Council of Europe bodies to the areas affected by the conflict in Georgia and underlines the importance of the Council of Europe monitoring bodies to make further efforts to gain access to the Georgian regions of Abkhazia and South Ossetia.

3) P. 7, Summary:

"Similarly, the right of LGBT organisations to hold peaceful public events was not defended against violent protesters; instead the authorities focused merely on escorting LGBT persons and their supporters to safety."

GoG Comment:

The Government of Georgia kindly clarifies that the following measures were taken in response to events carried out during and following May 17 manifestations:

Taking into account the past experiences with regards to the demonstrations during the International Day against Homophobia and the possibility of escalation of the situation on May 17, 2013 the Ministry of Internal Affairs took preventive measures and started communication and negotiations in advance with the both Groups of demonstrators – those in support and against of International Day against Homophobia. It was agreed that the groups will hold the manifestation in the separate areas. The counter-demonstrators gathered in front of the Parliament building, and activists of "Identoba" and other NGOs nearby Freedom Square.

On May 17, Minister of Internal Affairs of Georgia – Mr. Garibashvili was himself present at the Freedom Square and in the adjacent area of Parliament together with his deputies in order to negotiate with the leaders of opposing manifestations and prevent any violence by the demonstrators.

Due to the active media coverage and call for action from social media sources, instead of expected 2,500 – 3,000 persons, the number of people joining counter manifestation has increased up to 35,000 – 40,000.

There were 3 separate police cordons mobilized to separate the demonstrators from the counter-demonstrators.

During the manifestation MIA made an announcement, and advised the citizens to avoid central streets of Tbilisi and act in full compliance with the law.

Taking into account the scale of the opposing manifestation and its aggressive character MIA had two options: 1) Use special measures (water cannons, rubber bullets, tear gas, etc.), which would have further escalated the situation and would have resulted in a high number of casualties, or 2) Evacuate the participants of the manifestation, those in support of International Day against Homophobia in specially allocated vehicles in accordance with the evacuation plan elaborated in advance.

In view of situation on the ground MIA operative services assessed the second option to achieve the best result, and participants of the manifestation in support of International Day against Homophobia were evacuated from the Freedom Square according to the previously elaborated plan. Each vehicle was accompanied by the law-enforcement high level officers.

Prime Minister, Speaker of Parliament and other high officials have issued the statements condemning the aggressive character of the counter-demonstration and assured that breach of the civil rights of one group of society by another group will not be tolerated and therefore thoroughly investigated.

On May 24, 2013, two opposing manifestations were held in the vicinity of Deda-Ena Park, from one side by the human rights activists with the theme "No to Theocracy" and the second manifestation was organized by the supporters of the church. Police were mobilized at the scene and the manifestations were carried out unhindered. By the assessment of the NGO's present at the manifestations police ensured the freedom of manifestation.

<u>Independent Assessments:</u>

EU Special Adviser on Constitutional and Legal Reform and Human Rights in Georgia Mr. Thomas Hammarberg spoke about the event and assessed the police activities based on

the video recordings. He commented on the fact that several policemen were injured during the demonstration, where a massive influx of people was noticeable and created grounds for the situation to grow out of control. Overall, Mr. Hammarberg welcomed the police activities during the demonstration and positively assessed their readiness to avoid further complications. According to his evaluation, without their measures the results would have been worse and hence blaming the police for what happened would be unfair.

Further, the diligence and high professionalism of the employees of the MIA while dealing with public order were positively assessed by the representative of the UN Women.

With regards to the civil society evaluation, the measures taken by the MIA activities to defend the demonstrators were positively estimated by the "Center for Civic Engagement".

Racist and homo- / transphobic violence

Attacks against religious minorities

4) p. 17, para. 49:

"In October 2014, Muslims in Mokhe protested against the destruction of an old mosque, which the authorities wanted to turn into a library. In spite of assurances to resolve the dispute amicably, protesters were dispersed violently by the police, who allegedly abused them physically and verbally during arrests."

GoG Comment:

According to the data at hand, the disputed building in Mokhe never had a status of an active religious object. During the Soviet period the building acquired a status of a community center and in that status was assigned to the local municipality by the Ministry of Economy and Sustainable Development in 2007.

As to the confrontation, local population protested the construction works and hindered company's activities. The employees of Samtskhe-Javakheti Police Regional Main Division of the Ministry of Internal Affairs were on the spot to ensure public order.

Law enforcers protected the perimeter in order to prevent any confrontation. Police tried to protect the workers from the crowd that threw stones at them, rather than disperse the protesters. They called on the gathered people to preserve order and remain calm; however citizens verbally assaulted police officers and damaged police vehicles.

In this case, 11 persons were detained under the article 166 (minor hooliganism) and article 173 (disobedience to the police demand) of the Code of Administrative Offences. Three persons were additionally detained under the article 353(2) ("resistance to the police, committed in group") of the Criminal Code of Georgia.

The separate criminal case was opened against the police officers under the Article 333(1) of the Criminal Code of Georgia ("Excess of Official Authority"). The investigation is still ongoing to determine whether the policemen used physical and verbal violence against population during the arrests.

5) p. 17, para. 49:

"In September 2014, the opening of a new boarding school facility for Muslim children in Kobuleti was prevented by violent protests from residents. They blocked the entrance and threatened employees and children. A pig's head was nailed to the school's door."

GoG Comment:

With regard to this case the investigation has been launched under Article 151 of the Criminal Code of Georgia ("Threat"). Up to now, several investigative actions were conducted, including the interrogation of witnesses, inspection of several objects,

the expert examination was appointed. For the time being, the investigation is still underway.

6) p. 17, para. 49:

”In April 2013, three military policemen threatened residents in a village near Kobuleti and stopped cars in search for Muslims. They demanded to see if people wore a cross, as proof that they were Christians.”

GoG Comment:

Competent authorities immediately launched a criminal investigation into the given fact that took place in Tsikhisdziri. As a result of several investigative actions three military policemen were convicted and found guilty by the Batumi City Court. This decision was upheld by the Kutaisi Court of Appeals.

7) p. 17, para. 50:

“In August 2013, the removal of a minaret in Chela resulted in violence between the police and local Muslims. The authorities alleged that it had been imported from Turkey in violation of customs rules. The village was sealed off by the police and the minaret removed.”

GoG Comment:

The criminal investigation was launched that revealed that in the process of the minaret removal, local Muslims mounted resistance to police, did not obey their legitimate directives and used violence against them. As a result, three citizens were charged under the Article 353(2) (Resistance, threat or violence against a law enforcer or other representative of the authorities) of the Criminal Code of Georgia. Finally, Community Service as a sanction was imposed on them.

8) p. 17, para. 50:

“Several local Muslims, protesting against the disproportionate action, were arrested.”

GoG Comment:

Some of the local Muslims used violence against the police and because of that three persons were arrested under the Article 353(2) (Resistance, threat or violence against a law enforcer or other representative of the authorities) of the Criminal Code of Georgia. However, Community Service as a sanction was imposed on them.

9) p. 17, para. 50:

“In Samtatskaro (2013), and in Nigvziani and Tsintskaro (2012), Orthodox residents attacked Muslim worshippers and clerics, and blocked places of worship. Some Georgian Orthodox clergy and municipal officials supported them.”

GoG Comment:

With regard to the cases of Samtatskaro, Nigvziani, Tsintskaro investigations were launched immediately and several investigative actions were conducted: the witnesses were interrogated, relevant expert examinations were conducted. The investigations are ongoing.

Homo-/transphobic violence

10) p. 18, para. 54:

“Threats have been made repeatedly against LGBT activists. In January 2015, Identoba and its staff were threatened via social media. They had already received death threats in 2012 and 2013. In February 2013, Women’s Fund, the first NGO in Georgia to openly support LBT groups, was forced to move offices, due to neighbours threatening the employees.”

GoG Comment:

On January 9, 2015, Unit 7 of Old Tbilisi Division (Tbilisi Main Division) received a complaint from the lawyer of organization "Identoba", regarding the threats that she had received. Criminal case was opened, under Article 151 of Criminal Code of Georgia ("Threat"). Up to now, several investigative actions were conducted: the witnesses were interrogated, relevant expert examination was appointed. The investigation is still underway.

11) p. 18, para. 55:

"On 17 May 2013, a demonstration against IDAHO events turned violent and LGBT persons were attacked by a mob of protesters, including Georgian Orthodox priests, leaving several people wounded. Already in 2012, IDAHO events were attacked by radical religious protesters, causing severe injuries to at least two people."

GoG Comment:

On May 17, 2013, the investigation was initiated on the criminal case concerning the events developed at Rustaveli Avenue, Tbilisi, on May 17, when health damage was inflicted to several individuals; crime prescribed by Article 118 §1 of the Criminal Code of Georgia. On the same day, relevant police departments launched investigation on 6 other criminal cases.

During the investigation charges were brought against 5 individuals, including 2 clergymen, under Article 161 (violation of the right to assembly and manifestation) of the Criminal Code of Georgia.

On August 1st, 2013, the prosecution against one of the clergymen was terminated at pretrial hearing, while the rest of the cases were passed on to the hearing on merits at the Court.

The Prosecution Service appealed the decision on termination of the prosecution against the clergymen at Tbilisi Court of Appeals; however, the Court dismissed the appeal and upheld the decision of the City Court.

On October 23, 2015, all the defendants in the given case were acquitted of all charges based on the judgment of Tbilisi City Court. The Prosecution Service of Georgia appealed the given decision before the Court of Appeals and currently the case is on trial.

12) p. 19, para. 60:

"In Kobuleti, the police was present during the protests but remained passive. The authorities informed ECRI that the police was subsequently ordered to prevent any future conflict, but was not instructed to ensure that the boarding school could open. The prosecution service merely launched an investigation into threatening behaviour, not taking religious hatred into account. The attack against an Armenian priest in Tbilisi was also investigated without considering the religious hate motivation."

GoG Comment:

During the Kobuleti incident, the police was mobilized on the spot and protected the perimeter 24/7, in order to ensure order and free access inside and out of the school premises. As for the Armenian priest case, the investigation revealed, that there was no religious motivation. Despite the fact that the quarrel, which started initially over a parking space, took place in front of an Armenian Church, the complainant, Levon Iskhanian, did not wear any official attire and it was impossible to identify that he could be a priest. Furthermore, there were about dozen of people involved in the fight.

13) p. 20, para. 63:

”The 2013 murder case with a potential homophobic background was investigated as a robbery, with no mention of any bias motivation.”

GoG Comment:

After thoroughly studying the case, the police excluded the possibility of homophobic motivation. The details of investigation cannot be disclosed due to sensitivity of the case.

14) p. 20, para. 65:

“The authorities informed ECRI that 84 legal professionals, including judges and prosecutors, received training in non-discrimination legislation in 2014 and that every region of the country should have at least one prosecutor trained in the application of Article 53 CCG on aggravating circumstances. However, the authorities acknowledged that this is not yet sufficient and are planning to organise a training-of-trainers programme for judiciary and law enforcement officials, in cooperation with the Council of Europe.”

GoG comment:

In 2015, in cooperation with the Council of Europe, Prosecutor's Office of Georgia organized the first round of Training-of-Trainers (ToT) on European standards of non-discrimination (gender equality) attended by 21 prosecutors: prosecutors were offered trainings in discrimination-related international and national legal framework and special investigative tactics essential for the collection of evidence in such cases. Trainings were conducted with participation of international and national experts. The second round is to be held on February, 2016.

Herewith, the Human Rights Protection Unit of Chief Prosecutor’s Office of Georgia has elaborated the recommendation regarding the application of Article 53 §3[1] of the Criminal Code of Georgia that prescribes commission of crime with hate motive as an aggravating circumstance of criminal liability. The given recommendation concerns such issues as qualification of hate crime, investigation process and collection of evidence and relevant statistical data. The mentioned recommendation has already been considered and evaluated by the expert of the EU and disseminated among the employees of Prosecutor’s Office on 22 January 2016.

15) pp. 21, 28 and 29, paras. 69, 70, 106, and 108:

There are some activities through which teachers are informed on “Hate Speech”. The Teacher Professional Standard for Civic Education at the basic and secondary levels, the following topics are envisaged in the component of professional knowledge: Basic human rights and freedoms; Fundamental documents defining human rights and freedoms; International mechanisms for human rights protection, with focus on majorities, minorities and the vulnerable, equality and discrimination, stereotypes, tolerance, refugees, education and its availability. Training-modules for professional development for civic education teachers have been designed since 2010, taking into consideration the above-mentioned subjects. The teachers are retrained on the basis of the training modules. Training –modules for non-Georgian language school (Armenian, Azeri, Russian language schools) teachers were elaborated in 2015. The training-module combines the following topics:

- Tolerance, stigma and stereotype, violence – violence against children, bullying;
- Conflict;
- Intercultural relationships;

The Ministry of Education and Science (MoES) implements a program of “Summer Schools”, which involves organization of “English language Summer School” and

“Summer School for Future Leaders”. Around 700 schoolchildren take part in this program every year. One of the aims of the activities carried out in Summer Schools is eradication of Hate Speech among schoolchildren, as well as teaching peaceful resolution of conflicts. The following contests were held by the MoES in 2014 to raise civic awareness among schoolchildren on human rights and freedoms, equality and tolerance, violence: (1) The contest of video links “Step to Support”; (2) Essay contest “Step to Support”; and (3) Blog contest “We defend our peers”.

In 2015, under the subprogram of “School Contests”, a contest of video footages “Europe through my lens” was held. It aims to help schoolchildren perceive the essence and importance of European values in the modern Georgian space; express their own vision of European values, violence, equality and tolerance matters included.

From 2013, Georgia, namely MoES, is involved in the Council of Europe’s pilot project “Human Rights and Democracy”. Other participants of the project are Lithuania, Belarus and Russia. The project envisages development of supplementary learning materials for teachers’ training program. Each country is given a specific topic to work on. In 2014, Georgia worked on the following themes: (1) Intercultural communication; (2) Antidiscrimination; and (3) Hate Speech.

Within the framework of the project, the Georgian side had prepared three projects: 1. shared weekly calendar, 2. AntiDiscri-media, 3. NoHateSpeechComics. All three projects were met with enthusiasm. It was mentioned that Georgia was the only country that had provided materials precisely reflecting the requirements of the Council of Europe. The resources were very much creative and could be used by other countries in the future. A methodological instrument had been created under the project. It included theoritical overview and recommendations for above mentioned 3 practical project lessons. Theoretical and practical parts were focused on developing students’ skills so that they could identify/avoid discrimination and hate speech and gain intercultural communication skills.

The study courses included in the curricula of the Georgian universities envisages raising awareness on combatting racist and homo-transphobic hatred and development of tolerance. These courses are: “Institute of Civic Society and the State”, “Fundamental Conceptions of the relationships between Politics and Religion”, “Democracy and Democratization”, etc.

The term “LGBT” doesn’t appear in the National Curriculum as such, but the issues of tolerance and respect to freedom of beliefs and belongings are envisaged under the National Curriculum in the social science group subjects.

Since 2014 the process of National Curriculum (2011-2016) revision is ongoing. In the renewed curriculum the social science group subjects will be offered in a more intensive manner so that the teaching on human rights, raising tolerance and respect for all kinds of minorities will be more highlighted and promoted.

At this stage the Standard for Social Sciences at primary level has already been elaborated, where the gender issues in general are far more widely represented. According to the new curriculum (unlike the National Curriculum for 2011-2014) teaching of Social Studies starts from the III grade: a) in grades III-IV introduction of new subject – “Me and Society “ is planned, where one of the areas – social-cultural development and citizenship supports the formation of human values such as: respect to others’ rights, tolerance, equality and the like and should bring up active citizens, who understand the importance of common rules and act in nonviolent manner in the conflict situations. b) in grades V-VI the subject “Our Georgia” is taught, with focus on such issues as: how we should oppose behaviors which are detrimental to society, for example: ignoring any kind of minorities, discrimination, unhealthy lifestyle and aggressive actions (bullying, racism and etc.) and how we should protect our peers and our rights in nonviolent manner.

Through the above-mentioned subjects the issues of tolerance, respect to others' rights and freedom of choice will be more highlighted and promoted.

Integration policies

16) Paras. 76, 78, 80, 82, 83, 86, 89:

"A particular emphasis was placed on the teaching of Georgian as a second language, an area that ECRI had also identified as being in need of improvements in its last report. The "Georgian Language for Future Success" programme started in 2011 with the aim of improving knowledge of the Georgian language among historical ethnic minorities. The authorities supported 300 teachers for one year to teach Georgian in minority regions. ECRI was also informed that, as a follow up to one of its 2010 priority recommendations, the Zurab Zhvania Public Administration School revised its policies in 2014 and reviewed the quality of training resources for teaching Georgian to minorities. As a result, a basic course of Georgian as a Second Language was delivered by the school in 2014 in eight regional training centres. However, neither activity was rolled out further, and while the programmes were positive steps, the scale remains insufficient"

GoG Comment:

To support strengthening of ethnic minority integration process, the Ministry of Education and Science of Georgia pursues consistent language policy considering the language needs of ethnic minority students. In this regard the "Sub-programme 5- "Language Education – Quality Education" (approved by the Minister of Education and Science of Georgia under the order N220) was carried out, which aimed at developing common vision on language education policy and organizing new model for teaching/learning of existing minority languages at Georgian as well as at minorities' language schools/sectors, in order to support the language needs of ethnic minority students and improve their literacy level.

Within the framework of the sub-program, the MoES started to work on the Standard of Native Language for ethnic minorities (covering listening, speaking, reading and writing competences) which will be integrated in the National Curriculum. It will be basis for concrete programmes for Azerbaijani, Armenian and Russian Languages. Besides, elaboration of common standard for languages of ethnic minorities represented in small groups has been initiated. The schools where such languages can be introduced optionally have already been selected.

The essay contest "Georgian Language for My Success" was held by the MoES in May 2014 in the framework of "The Subprogram of School Competition" under the program of "Encouraging Especially Gifted Youngsters" for the pupils of non-Georgian schools and non-Georgian branches of the schools. Its aim was to raise motivation of ethnic minority pupils for learning the state language. Within the competition the pupils were given an opportunity to write an essay, expressing their own ideas regarding the need for knowing the state language; have discussions on what it meant to be successful in a modern society; what must be done to be successful in life and how knowledge of the Georgian language would help them achieve this goal. 40 pupils and their 40 teachers who had won the competition took part in the "Georgian Language International Summer School in Georgia" activity, envisaged by the "Programme of Summer Schools".

In May 2015 in the framework of "The Subprogram of School Competitions", under the programme of "Encouraging Successful Pupils", the MoES announced essay competition "My Culture and Tradition". Its aim was to facilitate intercultural dialogues and teaching Georgian to ethnic minorities, as well as learning Georgian by them. The first 50 winners of this competition and their 50 teachers will participate in "The Multicultural Summer School for Ethnic Minorities", an activity envisaged by "Summer Schools Programme".

“The Multicultural Summer School for Ethnic Minorities” aims at promoting civil integration of ethnic minorities and their involvement in the country’s political, economic and social life.

In 2014, teaching of the Ossetian language was funded in public schools of Lagodekhi municipality, in the villages of Pona and Arashperani, and in the village of Tsitskanaantseri, Kvareli municipality. The project “Saunje” (Treasure) was funded in the public school of Tazaqendi, Gardabani Municipality. In its framework, school library was renewed with Georgian language fiction literature.

There were projects funded in 2015, in the framework of “The Subprogram of Encouraging School Initiatives”, under the program of “Facilitating General Education”, as well as in the villages of Duisi, Birkiani, Dumasturi, Jokolo and Omalo of Akhmeta Municipality. In their framework, circles of Georgian dance and songs, as well as football circles will be organized. Besides, thick-felt manufacturing circle and Georgian culture studying circle were funded in the public schools of Duisi and Omalo respectively.

On June 1, 2015 ethnic minority pupils from Samtskhe-Javakheti, Kvemo Kartli and Pankisi were brought to Tbilisi by MoES in connection with the International Children Protection Day. They visited the sites of Tbilisi and attended cultural events there.

It should be noted that hiring of an expert in the field of General Education for ethnic minorities is planned by the MoES. Under the expert guidance, a group will be working on designing a document on Education policy for ethnic minorities.

A special educational preparatory programme of the Georgian language has been implemented since 2010 with the aim of promoting the receipt of higher education by ethnic minorities. Enrolment in this programme takes place on the basis of the results of only one exam - General Ability Skills tests in Azeri, Armenian, and Abkhazian and Osetian. Thus acquiring Georgian language writing, reading, listening and speaking competences is ensured to the extent enabling representatives of ethnic minorities to pursue further studies at the Bachelor’s level. In the framework of the program, state study grants are provided to the students. It involves providing funding in the course of one year for the special educational preparatory programme of the Georgian language and throughout four years for pursuing studies at the Bachelor’s level.

The Ministry of Education and Science of Georgia has been carrying out systematic and cohesive policy of state language teaching for minorities in order to remedy existing challenge - lack of sufficient knowledge of the Georgian language by minority groups. The MoES implemented two programs "Teach Georgian as a Second Language" and "Georgian Language for Future Success".

“Teach Georgian as a Second Language” program, which has been carried out since 2009, sent qualified Georgian language specialists to Samtkhe-Javakheti, Kvemo Kartli and Kakheti regions populated by ethnic minorities to deliver classes, teach Georgian language to students, teachers and community members, carry out various extracurricular activities, organize summer camps and exchange programs etc. Since 2011, only certified teachers have been recruited under the program.

Under the program “Teach Georgian as a Second Language”, Georgian language clubs were organized in 90 schools in the regions populated by ethnic minorities; there were 3545 attendants (2625 students, 484 teachers and 436 local community member) registered by 2014.

"Georgian Language for Future Success" program has been implemented since 2011, sending volunteer assistant teachers to ethnic minority regions. Within the frames of the program, more than 600 assistant teachers of Georgian language were sent to the regions. One of the most important components of the program “Georgian Language for Future Success” that has been running since 2011 by the MoES, is to publish new

textbooks of Georgian as a second language. For the academic year of 2013-2014, I-XII levels of students' textbooks, students' workbooks and teachers' books were developed and published. Special CD has also been included in each package. To make education process more efficient, the MoES developed computer games in line with each level of textbooks. These games are uploaded on the Ministry's supported www.buki.ge website. All learning materials are provided free by the state to all minority school students and teachers.

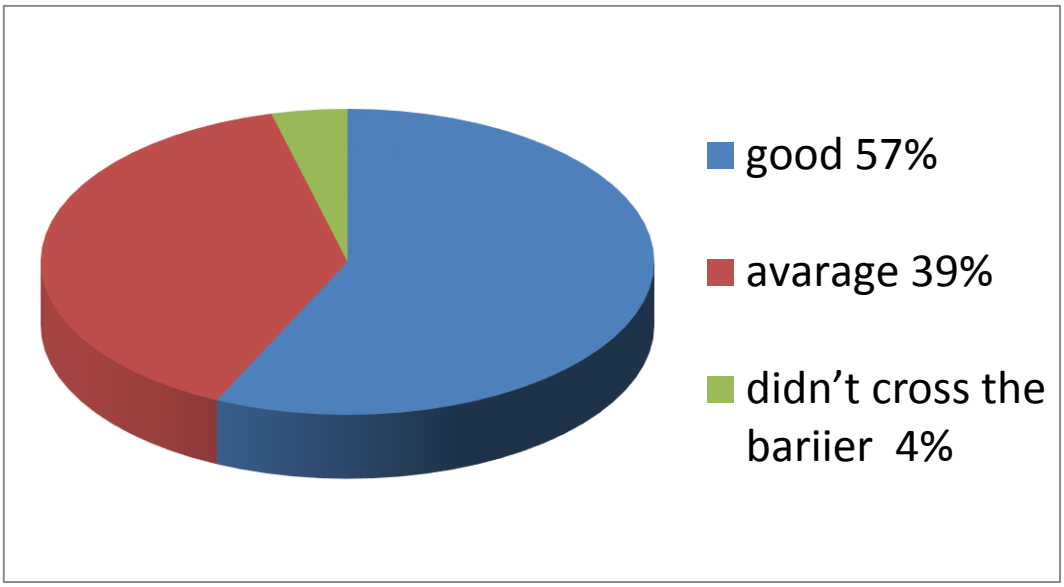
Starting 2014 academic year, the project was diversified by adding Geography and History Subjects assistant teachers. As a result of the competition for these subjects teacher positions 28 persons were hired along with 153 Georgian language teachers and assigned to schools to assist local teachers and introduce the bilingual method of teaching.

Starting 2015 calendar year, aiming at better efficiency and improvement of the professional skills of local Georgian Language and Subjects Teachers, the two programs ("Georgian Language for Future Success" and "Teach Georgian as a Second Language") were united under the title of "Georgian Language for Future Success".

Currently in the frame of the Program "Georgian Language for Future Success" 288 teachers (200 assistant teachers and 88 trainer teachers) are sent to 228 ethnic minority schools of Samtskhe-Javakheti, Kvemo Kartli and Kakheti region.

In 2014, student results in Georgian Language at School Leaving Exam were as follows:

(Note: these schoolchildren studied at the schools where program "Teach Georgian as a Second Language" is being implemented)



Schoolchildren who scored 6, 7, 8, 9 and 10 points in school leaving examinations (CAT)

2011	2014
10 point 12%	10 point 7%
9 point 13%	9 point 27%
8 point 20%	8 point 23%
7 point 19%	7 point 21%
6 point 27%	6 point 18%
Failed 9%	Failed 4%

In the framework of the above-mentioned programme, an increase in the number of trainer teachers and assistant teachers participating in this programme is planned. Contest for the selection of trainer teachers is over at this stage. Compared to the previous year, their number has been increased by 9. They are tasked to teach Georgian as a second language in non-Georgian language schools in Samtskhe-Javakheti, Kvemo Kartli and Kakheti, as well as to deliver Georgian language courses to the local teachers with the aim of embarking on a teaching activity, their integration in the scheme of professional development and career advancement.

At present, a competition for selecting a new group of the trainer teachers is underway in the framework of the programme. An increase in their number is also provided by the state budget for the new academic year. It should be noted that this year representatives of ethnic minorities -2015 academic year graduates, having undertaken educational preparatory programme of the Georgian language at the accredited Georgian institutions of higher education, have been given a chance to participate in the competition and further in the programme in the capacity of assistant teachers.

In 2014 lots of work was done at MoES, through Zurab Zhvania School of Public Administration (ZSPA) to reflect ECRI recommendations: existing teaching resources were revised, the needs of minorities were defined and programs, tailored to the specifics of the target groups- ethnic minorities employed in public sector, were developed. In 2014 a course of basic Georgian was developed and piloted in eight regions of Georgia. In 2015, the ZSPA continues the development process and starting from February 2015 provides the courses of the Georgian language at the following levels: A1, A2 and B1.

Starting July 2014, the ZSPA has been providing Public Administration Courses for ethnic minorities in Kutaisi. Up to 100 minorities, employed in public sector benefited from this program.

“The Subprogram of Promoting Social Inclusion” of the MoES takes care of involvement in the learning process of adolescents with Special Education Needs, including those representing ethnic and religious minorities, those with linguistic problems as well as those not holding Georgian citizenship. It creates the opportunity for realizing individual abilities under equal conditions for “every child” experiencing difficulties in learning.

In order to create favorable environment for learning and pupils, bringing adolescents representing ethnic, national and religious minorities, also adolescents with linguistic problems and those not holding Georgian citizenship and their local peers together around the common interests, mutual participation in school activities alongside with their peers, involving adolescents in social life, Roma and Meskhetians have the chance to demonstrate their potential to the maximum extent.

By active engagement of Meskhetian and Roma children in the country's political, economic and social life integration with their peers is promoted, and it is double beneficial: Integration process of the Meskhetian and Roma adults with their peers is facilitated;

There is a rise in the level of tolerant disposition and attitude among public school pupils towards peers with different abilities, religions or ethnic origin. Those, who have undergone training under this subprogram, are no more prejudiced towards the peers of other religions, different abilities and those with linguistic problems and are on friendly terms with them in spite of the mentioned differences.

Cultural activities helped to demonstrate unique characteristics and interests of "every child", which were their original aim and besides, the approach of "charity" towards Meskhetian and Roma children was replaced with the "cooperation" approach.

In the framework of the "Subprogram of Promotion of Social Inclusion", access to education and teaching of a state language to the Meskhetian adolescents coming out of the families forcibly moved in the forties of the twentieth century from the then Soviet Socialist Republic of Georgia by the former Soviet Union authorities, is facilitated in order to achieve the aim of their full civil integration.

125 Meskhetian adolescents in total – repatriates and with no status have been involved in the "Subprogram of Promotion of Social Inclusion" since 2009 up to now in order to have access to all the educational resources in Georgia. In the capital city of Tbilisi their number amounts to 20, in the city of Akhaltsikhe to 20, in the village of Abastumani, Adigeni Municipality to 12, in the settlement of Nasakirali, Ozurgeti Minicipality to 40, in the village of Tsitelubani, Gori Municipality to 5, and in the village of Ianeti, Samtredia Municipality to 28.

Further, 144 Roma adolescents in total have been involved in the "Subprogram of Social Inclusion" since 2009 up to now. Their number in the capital city of Tbilisi amounts to 11, in the city of Rustavi to 13, in the city of Zugdidi to 7, in the city of Poti to14, in the city of Kutaisi to 21, in the city of Dedoplistskaro to 10, in Kobuleti to 54, in Etseri to 4, in Zugdidi region to 10.

By means of planned activities and interagency meetings, the number of the repatriated Meskhetiams and Romas living in the various regions of Georgia and with no Georgian citizenship status are periodically updated; database is renewed; problems of the Meskhetian and Roma adolescents are identified and solved and they are involved in the learning process.

Documentation-related problems of the adolescents with no Georgian citizenship are solved to include them in school database and for the National Centre for Education Quality Enhancement to recognize the study programmes undertaken in Azerbaijan, thus enabling the adolescents to get involved in the learning process.

Through regular cooperation of the Meskhetians and Roma children with their peers and regular planning and fulfillment of community activities, they realize the need for having good command of the state language and thus become more motivated to learn it. Adolescents for whom the state language of Georgia is not a native language are given the chance to get involved in the ongoing activities.

With the aim of promoting preservation of cultural originality of the Meskhetians and Roma people and sharing traditions of multiculturalism of the Georgian society, the public is being informed on the history of the Meskhetians and Roma, as well as their present daily life. Thus, awareness raising and development of positive disposition towards the Meskhetians and Roma people among the public is promoted.

In the course of 2014-2016 meetings with parents of the Roma and Meskhetian adolescents living in the above-mentioned regions are held to maintain motivation of their children to be engaged in learning process, and even to increase their

motivation, thus ensuring that they pursue further studies. Thus, more Roma and Meskhetians will be involved in the integration process.

Since 2013 every person with basic education, including ethnic minorities is entitled to undertake state-funded Vocational Training programs.

The MoES has been involved in the state interagency commission set up with the aim of coordinated implementation of the National Concept for Tolerance and Civic integration and its Action Plan, which currently works on the "State Strategy for Civil Equality and Integration and 2015-2017 Action Plan. The mentioned Action Plan, unlike 2009-2014 Action Plan, envisages topics related to enhancement of accessibility to Vocational Education for ethnic minorities.

The MoES is working on the model of teaching Georgian to ethnic minorities in the system of Vocational Education; adaptation of professional tests – their translation is also planned. After this model is carried out to the full extent, a wide range of vocational training programs will be available to ethnic minorities.

In addition, in 2015 under the initiative of the Minister of Justice of Georgia, Georgian Language Course for ethnic minorities commenced in four Community Centers (Poka, Kabali, Sartichala, Kvareltskali). The Project was implemented with the financial support of United Nations Development Programme (UNDP). The Course is tailored on needs of the local population and mainly uses the methods that assist the participants in developing speaking skills. After the successful completion of the course, up to 90 participants received special certificates from PSDA and Training Center of Justice.

The Ministry of Justice of Georgia plans to continue organizing Georgian Language Courses for ethnic minorities.

17) p. 23, para. 79:

„Two groups that have not been included in the National Concept for Tolerance and Civic Integration and its Action Plan are refugees and persons who have been granted subsidiary protection. ECRI was informed that the authorities are planning a Local Integration Programme for them. At the moment the social and economic support for these groups remains marginal. They receive a monthly allowance of approximately € 18 and have access to basic health care and education. They are also allowed to work, but exercising this right is difficult due to language barriers, except for persons with sufficient knowledge of Russian. Language courses are not offered, except for in some cases by the UNHCR. Refugee support programmes are mainly funded by international organisations, for example in the Pankisi valley. Such support is vital, but it is not a reliable solution for long term integration".

GoG Comment:

Asylum seekers, refugees and humanitarian status holders are provided with the Georgian language study courses under the Governmental Decree #15 of 29 January 2015 and 67 children are already involved in these courses. As for pre-school education, asylum-seekers, refugees and humanitarian status holders are provided with pre-school education under the Decree #2-5 of the Municipal Council of Tbilisi and, recently, 18 children were involved in these courses.

Upon the consultations with the UNHCR, the Integration of Asylum seekers had become a part of the Strategy on Migration 2016-2020. The Strategy was approved on 30 November 2015 and the detailed Action Plan was approved on 22 December 2015. The key directions and description of the integration policy for asylum seekers, refugees and humanitarian status holders are included in the Action Plan of Migration Strategy. At the same time, the coordination mechanisms are also enshrined in the strategy (e.g. with the Ministry of Education and Science, Ministry of Labor Health and Social Affairs etc.). As regards the action plan, it identifies financial needs that are necessary to implement the integration activities.

The Migration Strategy for 2016-2020 defines the following integration directions of the asylum seekers, refugee and humanitarian status holders, such as:

- Providing integration programs and state services for the refugees and humanitarian status holders in the capital as well as in the regions;
- Further development of the intensive program about the language, culture and legislation basics and offering courses for adults with the school age people;
- In full compliance with the Vocational Education Reform Strategy 2013-2020 of Georgia and strategic directions of development of education and science system in Georgia, further development of the recognition methodology of the formal and informal education in Georgia, which will have a positive impact on the recognition of formal and informal education of the asylum holders in Georgia;
- Involvement of the asylum holders in Georgia in the professional preparation program of the Ministry of Labor, Health and Social Protection and the vocational educational program of the Ministry of Education of Georgia;
- Supporting the involvement of the asylum holders in Georgia in the vocational educational program of the Ministry of education of Georgia;
- Developing timeframe for the periodic meeting with the asylum seekers in the temporary reception centres. Providing information about the living in Georgia, integration in the local communities, legislative updates and their rights;
- Providing information regularly (at least once a year) for the asylum holders in Georgia regarding the legislative amendments as well as new governmental initiatives and programs;
- Spreading the Informational Brochure of the MRA to the target groups, being adopted in 2015 on Arab, Persian, English, French and Russian languages and enshrines important information about the administrative procedures, integration and living possibilities in Georgia. The awareness raising of the local and non-governmental organizations as well as other intermediary links about the asylum system and main aims of the integration policy in Georgia;
- Developing indicators for measuring the successful integration of the refugees and humanitarian status holders in Georgia, as well as gathering all essential data for monitoring those indicators.

18) p. 23, para. 80:

"Similarly, the support for Meshketians was not part of a comprehensive repatriation and integration strategy for Meshketians, as recommended by ECRI in 2010. The strategy was only finalised in 2014 and the adoption of the corresponding action plan for its implementation is still pending."

GoG Comment:

The issue of repatriation of Muslim Meskhetians is of great importance to the government of Georgia. A number of legislative acts were adopted that regulate the process of repatriation and define responsible government bodies in this process.

On 12 September, 2014, Georgian Government adopted a decree on the "State strategy of Repatriation of Persons forcefully sent into exile from the Soviet Socialist Republic of Georgia by the Former USSR in the 40's of the 20th Century". Currently, drafting process of the action plan is completed and now it is going through internal inter-institutional processes in the Government of Georgia. On 30 December 2015

Meeting of the Inter Ministry Repatriation Council was held, where the draft Action Plan was presented.

Draft Action Plan of Repatriation for 2016-2017 enshrines activities for descent return of repatriates as well as their integration programs in Georgia. According to the Draft Action Plan, the MRA will primarily identify the needs of the returnees followed by the identification of the resources of Georgia to meet their needs. There will be implemented integration activities for repatriates such as: financing business projects; setting benefits and simplified procedures on the import of goods for repatriates holding permanent residence in Georgia; guaranteeing the accommodation; holding information campaigns about the integration possibilities in Georgia; holding information campaigns for the population of Georgia; guaranteeing their access on education and possibilities for studying Georgian language; supporting their economic and social integration; etc.

19) p. 23, para. 83:

"The infrastructure projects referred to in paragraph 77, which aimed at reducing socio-economic marginalisation of historical ethnic minorities and were implemented under the 2009-2014 Action Plan, did not include sufficient skill- building activities, such as vocational training programmes."

GoG Comment:

The given formulation "reducing socio-economic marginalization of historical ethnic minorities" is not accurate, as long as the infrastructure projects aimed at improving the social-economic conditions and opportunities of ethnic minorities in the regions of their compact residence.

20) p. 23, para. 84:

„In spite of the existing integration policies contained in the 2009-2014 National Concept for Tolerance and Civic Integration and the Action Plan, marginalisation also persists with regard to social services in minority regions. While some improvements have been made, for example in the field of social security and in particular the health care sector, the availability of information in minority languages remains low and people are not always aware of services even when they exist. The Ministry of Health, Labour and Social Affairs held a series of information meetings specifically targeting historical ethnic minorities, but the scale of this outreach work remained limited."

GoG Comment:

It is not clear what is meant under the phrase "marginalization also persists with regard to social services in minority regions". All citizens of Georgia have equal access to state social programs and services. However, due to the lack of knowledge of the State language they might experience difficulties with the access to information on the programs and services in their native languages.

Within the Hepatitis C elimination state programme information campaign for ethnic minorities was planned and implemented to improve accessibility on programme services, raise information awareness and promote communication process with ethnic minorities. Information brochures were prepared and printed in Georgian language as well as in languages of ethnic minorities (5000 brochures in Armenian language, 5000 brochures in Azerbaijani language, and 5000 in Russian language).

Brochures were distributed in the entrance hall of the Ministry of Labour, Health and Social Affairs of Georgia, in branches of LEPL Social Service Agency and administrative units, including densely populated regions of ethnic minorities: Samtskhe Javakheti and Kvemo Kartli. The brochures were also handed to the village doctors. As for the electronic versions, they are accessible on the web site (http://www.moh.gov.ge) of the Ministry of Labour, Health and Social Affairs of Georgia.

21) p. 23, para. 85:

"In many geographically isolated minority areas, Georgian radio and television are unavailable and people rely on Azeri, Armenian or Russian language media. This results in insufficient awareness of current events in Georgia in such areas, which in turn contributes to low levels of political participation of minority members. Although the authorities took some technical measures to increase the coverage of the Public Broadcaster, the problem was not fully resolved. This is likely to change only with the switch to digital broadcasting which is foreseen for the near future. Making Georgian public broadcasting more widely available, however, would not be sufficient to address the problem, as minority language programmes are limited and not always of the expected quality. The 2009-2014 Action Plan included an increase of minority language programmes, but their ratings and attractiveness remained low. The programme "Our Yard", designed to cover minority issues, has been criticised by minority members for portraying historical ethnic minorities as isolated groups, rather than emphasising their integration, and at times even reproducing stereotypes."

GoG comment:

The information provided is not complete: Television news programs on five national minority languages (Armenian, Azerbaijani, Russian, Abkhazian, Ossetian) are daily aired on the Georgian Public Broadcaster. Since October 2014 the information-analytical program "Nastoyascheye Vremya" ("Real time", joint project of RFE/RL and "Voice of America") is aired on Public Broadcaster which provides ethnic minorities with information on political, economic developments in Georgia and worldwide. The news program is also aired daily on the "First Radio" in above-mentioned national minority languages, also in Kurdish. The state also supports printed media in Azerbaijani and Armenian languages".

22) p. 24, para. 87:

"Following the expiry of the National Concept on Tolerance and Civic Integration 2009-2014 and its Action Plan, the authorities are in the process of drafting and adopting a new Civic Equality and Integration Strategy 2015-2020".

GoG comment:

State Strategy for Civic Equality and Integration and Action Plan for 2015-2020 was adopted by the Government of Georgia on August 17, 2015. The new Strategy is based upon the principle of equality and "more diversity, more integration" approach and aims at contributing to the provision of equality; ensuring ethnic minorities' full-fledged participation in all spheres of public life; and preserving national minorities' culture and identity.

23) p. 24, para. 88:

"ECRI would also like to encourage the Georgian authorities to swiftly adopt the outstanding action plan for the repatriation and integration of Meshketians and the integration strategy for refugees and persons who have been granted subsidiary protection."

GoG Comment:

Please refer to the comments on the paragraphs 79 and 80.

Religious intolerance and discrimination

24) p. 25, para. 94:

"The near monopoly of one Christian church has not facilitated the creation of a constructive pluralistic religious tradition in the past. This is also visible in the ongoing problem concerning the return of religious buildings, many of which are currently used by the Georgia Orthodox Church, to previous owners. The Armenian

Apostolic Church demands the return of six churches. The Armenian Apostolic Church has the status of a legal entity under public law (LEPL) and it appears that this is deemed insufficient by the authorities to consider the Church as a legal successor in ownership of these buildings"

GoG Comment:

The State Agency for Religious Issues established "The State Religious Policy Research Centre" in co-operation with academic sphere. One of the functions of the Centre is research of the ways of establishment of ownership over disputed religious buildings between various religious organizations. The legal status of the Armenian Apostolic Church is irrelevant, the issue is more complex and sensitive as the state has to stand aloof from interfering into inter-confessional relations in order to maintain neutrality. So far the Agency has not received any proof/information of historical ownership from the Armenian Apostolic Church regarding any of the buildings that it contests.

25) p. 26, para. 95:

"The construction permit for a new Catholic church in Rustavi has been pending for over two years, in spite of a court judgment instructing the municipal administration to issue the permit. For many years, the Muslim community in Batumi remained unable to secure permission for a second mosque. Several hundred Muslims are regularly unable to fit into the existing mosque for Friday prayers and have to pray in the open in adjacent streets. Eventually the municipality agreed to the construction of a new mosque, but under the condition that it will be built at a considerable distance from the city center. Jehovah's Witnesses also often face problems when attempting to construct Kingdom Halls, as seen in the case of Terjola."

GoG Comment:

With regard to the Rustavi Catholic church the Agency has issued a report in favor of its construction. As to the Batumi Mosque it should be noted that the residency or the Administration of Muslims of all Georgia has moved to the premises purchased by the state and handed to the Administration. Also the commercial space adjacent to the mosque has been cleared. All these serves to resolve the problem of insufficient space for prayers.

26) p. 26, para. 96:

"ECRI recommends solving the remaining disputes about religious property in a speedy, transparent and fair manner. ECRI also recommends that permits for the construction of places of worship are not withheld due to religious prejudices or local protests, but that applications are processed in accordance with applicable laws."

GoG comment:

The State Agency for Religious Issues partially agrees with the recommendation, which contemplate creation of effective mechanisms to meet with economic and financial needs of religious communities and organizations. It should be noted that in this regard the Agency, shortly after its establishment, created "The recommendatory commission on property and financial issues of religious associations". The Commission, based on application, examines financial and property needs of religious communities and organizations and prepares appropriate recommendations to the relevant institutions. It is important that the Commission, besides the representatives of the Agency, brings together representatives of other government officials and independent experts, as well as representatives of those religious community (with right to vote), whose issue is being discussed, in a rotational manner. The outcome of the given policy and practice is clearly positively evaluated by the religious communities and associations. In addition, in line with growth of experience, the Agency constantly works for improvement of the Commission's activities and will strengthen the effort in future to modernize it, in

order to meet the property and financial needs of religious communities in a transparent, quick and fair mode.

27) p. 26, para. 98:

"The agency decided on funding for four religious groups as partial compensation for injustices and damages suffered during the Soviet era. The Muslim community received
GEL 1 100 000, the Armenian Apostolic Church GEL 300 000, the Catholic Church GEL 200 000 and the Jewish community GEL 100 000. However, these groups complained that there was insufficient dialogue with them prior to the decision and a lack of transparency about the criteria."

GoG Comment:

Funding of four religious organizations, provided by the Decree №117 of the GoG dated by 27 January 2014, shall not be considered as compensation or restitution for any established damage, but bears rather a symbolic character because the amount of the damage received during the Soviet totalitarian regime is unknown. Accordingly, criteria for defining amount of financial assets takes into account current circumstances related to those religious organizations.

28) p. 26, para. 99:

"Doubts about the agency's work increased further with the publication of its Religious Policy Development Strategy in early 2015. It states that the Georgian State needs to "avoid interference of the neighbour states in the internal politics of Georgia by using Georgian population's ethnic-religious diversity. In Georgia … [t]he scope of the problem was only limited on protection of religious minorities rights, while, at the same time, it should cover internal and foreign security discourses of the state." Many observers note that viewing religious freedom and the rights of religious minorities through a security perspective is detrimental to the protection of rights and the prevention of discrimination and intolerance. It also carries a risk of becoming a self-fulfilling prophecy, as it can result in the marginalisation of minorities, eroding their trust in, and identification with, the state."

GoG Comment:

The Religious Policy Development Strategy is a transparent document easily accessible to everyone. The Strategy covers almost all aspects of the religious sphere. There are several incentives for development of religious policy including respecting freedom of religion, ensuring religious diversity, etc. The rest of relevant questions shall be seen through the prism of Georgian legislation and its international obligations, keeping in mind the abovementioned incentives. It is unreasonable to consider the security component of the Strategy separately from the entire document and out of its context. In fact, the description of neighbouring policy and religious diversity serves to reflect the reality that exists in the region. The security aspect of the Strategy should be read in a positive context of broadening the rights of religious denominations and ensuring the protection of their interests. The whole chapter of the Strategy is dedicated to the religious minorities and ensuring their rights, whereas the security component is mentioned only in the descriptive part of the preview.

29) p. 27, para. 101:

"ECRI recommends amending the strategy for the development of a religious policy to focus on the rights of religious minorities, the principle of non-discrimination and the promotion of religious tolerance from a perspective of inclusion and integration. Furthermore, the concept of integrating religious minorities into a state policy should be clarified in line with full protection of the rights of religious minorities"

GoG Comment:

The State Agency for Religious Issues agrees with the recommendation on review of draft document "Religious Policy Development Strategy of Georgian State", published by the Agency. It should be noted that the document has been presented as a draft, till now, and is open for recommendations and comments. In result of consultations, the Agency believes that the "Strategy", as an acting document, should be developed in direction of protection of rights of religious minorities and promotion of anti-discrimination environment. The final formation and enforcement of the document is planned in 2016.

30) p. 27, para 103:

"ECRI recommends that the Georgian authorities scale up their support for the Council of Religions, which operates under the auspices of the Public Defender's Tolerance Centre. The authorities should in particular task the newly created State Agency for Religious Issues to cooperate with the Council of Religions and utilise the Council's expertise and recommendations in order to tackle the problem of religious intolerance."

GoG comment:

The State Agency for Religious Issues doesn't agree with the recommendation, which calls on the government to entrust the State Agency for Religious Issues for co-operation with the Council of Religions, acting under the Tolerance Centre at the Ombudsman's office, which is essentially contradictory. It should be noted that a number of essential details to this matter were explicitly clarified to official delegation of ECRI, by the Agency:

- First of all, the State Agency for Religious Issues, from the day of its establishment, actively cooperates with the all religious communities in Georgia and their organizations, including members of Council of Religions, on individual, as well as on an open inter-religious formats.
- It is noteworthy that the Agency, when implementing its activities, co-operates with way more religious communities and associations, than represented in the Council of Religions.
- It is important that the Agency's mandate is different with its content from the Council of Religions' mandate, and it is broader than the inter-religious activity of Council of Religions.
- Must be taken into account, that the Agency is actively cooperating with the Ombudsman's Office, however, the Agency has not yet received any recommendation from the Council of Religions

Therefore, the recommendation, according to which the Agency should be limited in relationship with religious communities only with format of Council of Religions, represents an initiative to strengthen a specific institution, at the expense of the damage of the scope, as far as, nor the Council covers all entities, nor its format provides solution to all needs of religious communities and organizations.

ANNEX

Investigation Opened					
Article of Criminal Code of Georgia	**2010**	**2011**	**2012**	**2013**	**2014**
Article 142 ,,Violation of Equality of Humans"	**1**(ethnic intolerance)	0	0	0	0
Paragraph 1 of Article 142[1] "Racial Discrimination"	**1**(national and ethnic intolerance)	0	0	0	**1** (racial intolerance)
Article 155 "Illegal Interference into the Performance of Religious Rights"	**3** (religious intolerance) two cases terminated due to the absence of criminal act	**2** (religious intolerance -1, unknown-1) terminated due to the absence of criminal act	**2** (religious intolerance) one case terminated due to the absence of criminal act	**2** (religious intolerance)	**4** (religious intolerance) 2 cases terminated due to the absence of criminal act
Article 156 "Persecution"		**2** (religious motive) one case terminated due to the absence of criminal act	**6** (religious intolerance -4, political - 1, unknown - 1) two cases terminated due to the absence of criminal act	**14** (religious motive- **5** political - **9**) 4 case terminated	**12** (religious motive) 4 case terminated
Article 166 "Obstruction to Creation of Political, Public or Religious Unions or Interference in their Activities"	0	0	**1**(political motive)	0	**1** (religious motive) terminated under prosecutorial discretion
Total:	**5 started - 2 terminated**	**4 started - 3 terminated**	**9 started - 3 terminated**	**16 started - 4 terminated**	**18 started - 7 terminated**

Prosecution Started					
Article of Criminal Code of Georgia	**2010**	**2011**	**2012**	**2013**	**2014**
Paragraph 2 of Article 144' "Torture" (with violation of equality of humans)	0	0	6 persons	0	0
Paragraph 2 of Article 144'" "Inhuman or Degrading Treatment" (with violation of equality of humans)	0	0	6 persons	1 person	0
Article 155 "Interference into the Performance of Religious Rights"	0	0	0	0	1 person
Article 156 "Persecution"	1 person	0	10 persons	2 persons (1political, 1 religious motive), 3 diversion	6 persons
Total:	**1**		**22**	**6**	**7**