

# ECRI REPORT ON GEORGIA

(sixth monitoring cycle)



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## FOREWORD

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The European Commission against Racism and Intolerance (ECRI), established by the Council of Europe, is an independent human rights monitoring body specialised in questions relating to the fight against racism, discrimination (on grounds of “race”, ethnic/national origin, colour, citizenship, religion, language, sexual orientation and gender identity), xenophobia, antisemitism and intolerance. It is composed of independent and impartial members appointed on the basis of their moral authority and recognised expertise in dealing with racism, xenophobia, antisemitism and intolerance.

In the framework of its statutory activities, ECRI conducts country monitoring work, which analyses the situation in each of the member States of the Council of Europe regarding racism and intolerance and draws up suggestions and proposals for dealing with the problems identified.

ECRI’s country monitoring deals with all member States on an equal footing. The work takes place in 5-year cycles. The reports of the first round were completed at the end of 1998, those of the second round at the end of 2002, those of the third round at the end of 2007, those of the fourth round in the beginning of 2014, and those of the fifth round at the end of 2019. Work on the sixth round reports started at the end of 2018.

The working methods for the preparation of the reports involve documentary analyses, a visit to the country concerned, and then a confidential dialogue with the national authorities.

ECRI’s reports are not the result of inquiries or testimonial evidence. They are analyses based on information gathered from a wide variety of sources. Documentary studies are based on a large number of national and international written sources. The in situ visit provides the opportunity to meet with the parties directly concerned (both governmental and non-governmental) with a view to gathering detailed information. The process of confidential dialogue with the national authorities allows the latter to provide, if they consider it necessary, comments on the draft report, with a view to correcting any possible factual errors which the report might contain. At the end of the dialogue, the national authorities may request, if they so wish, that their viewpoints be appended to the final ECRI report.

The sixth round country reports focus on three topics common to all member States: (1) Effective equality and access to rights, (2) Hate speech and hate-motivated violence, and (3) Integration and inclusion, as well as a number of topics specific to each one of them.

In the framework of the sixth cycle, priority implementation is requested again for two specific recommendations chosen from those made in the report. A process of interim follow-up for these two recommendations will be conducted by ECRI no later than two years following the publication of this report.

**The following report was drawn up by ECRI under its own responsibility. Unless otherwise indicated, it covers the situation up to 8 December 2022; as a rule, developments since that date are neither covered in the following analysis nor taken into account in the conclusions and proposals therein.**

**Since the adoption of ECRI's fifth cycle report on Georgia on 8 December 2015, progress has been made and good practices have been developed in a number of fields.**

Legal provisions provide that the budget of the Public Defender (Ombudsman) cannot be lower than in previous years so as to avoid any political influence or pressure. The resource level is sufficient for 10 regional offices of the Public Defender to be maintained across the country.

A 20-hour course for current primary and secondary civic education teachers with senior teacher status, entitled Peace Education – Peace processes, which also addresses intercultural relations was developed by the National Centre for Teacher Professional Development. In 2021, twelve groups were organised and over 500 teachers were trained.

As concerns hate crime incidents, the number of violent attacks against Jehovah's Witnesses has significantly decreased in recent years. Moreover, various capacity-building activities on dealing with hate crime incidents and cases have been implemented by the Georgian authorities for law enforcement officials, prosecutors and judges.

With regard to the teaching of Georgian as a second language to ethnic minorities, approximately 250 to 280 consultants and support teachers participated from 2016 to 2021 in the "Non-Georgian Language Schools Support" programme offered by the National Centre for Teacher Professional Development.

As concerns the lack of identification documents of Roma persons, 78 such documents have been issued by the Public Service Development Agency between January 2019 and February 2022.

When in late February and early March 2022, in the context of Russia's aggression against Ukraine, some anti-Russian resentments and instances of discriminatory treatment occurred, the authorities took swift action, including in the area of consumer rights regulations. There has also been a public statement issued by the Public Defender jointly with the Council of National Minorities speaking out against negative stereotyping and hate speech against Russians.

As a result of Russia's invasion of Ukraine in February 2022, tens of thousands of persons fleeing the war in Ukraine entered Georgia. Initial

accommodation was provided, inter alia, by municipalities. The authorities, by means of decrees, also made healthcare and education available to Ukrainians.

**ECRI welcomes these positive developments in Georgia. However, despite the progress achieved, some issues give rise to concern.**

Certain activities of the Public Defender attracted harsh criticism by government politicians that gave rise to concern as it can easily undermine the credibility, independence and reputation of the Public Defender as an institution.

As concerns LGBTI persons, there is no legal possibility to register same-sex partnerships in Georgia and the authorities have so far not reviewed existing legislation in order to assess where same-sex couples face other problems of equal access to rights in their day-to-day life.

There is also no joint working group of government representatives and members of relevant civil society organisations in which LGBTI equality issues could be discussed. In spite of ECRI's recommendation in its last report, there are still no clear criteria stipulated for the conditions that need to be fulfilled for legal gender recognition.

Hate speech, especially online, against LGBTI persons, has been a growing problem and does not only spread insults, but at times also incites to discrimination and violence. Unfortunately, there is still no effective monitoring system for racist and anti-LGBTI hate speech.

So far, the various training activities for law enforcement personnel, prosecutors and judges concerning hate crimes have not been evaluated as to their impact. Moreover, there has still been no specialist unit set up within the police to deal specifically with racist and LGBTI-phobic hate crime incidents.

The level of teaching of Georgian as a second language to non-mother tongue speakers among the historical ethnic minorities in the country is still vastly insufficient. Not having a command of the official state language puts these persons at a huge disadvantage in terms of social integration and inclusion. Problems in this regard have also been noticed in the context of measures taken against Covid-19, when information was, at the very beginning, not always made available promptly in minority languages even in areas densely populated by ethnic minorities.

The State Agency for Religious Issues has still not amended its policy of 2015, which focuses on “internal and foreign security discourses of the state” when it comes to dealing with the religious diversity of the Georgian population. Furthermore, no cooperation or constructive relationship between the State Agency for Religious Issues and the Council of Religions, operating under the Public Defender’s Tolerance Centre, has been initiated by the authorities.

**In this report, ECRI requests that the authorities take action in a number of areas and makes a series of recommendations, including the following.**

ECRI recommends that the authorities ensure that politicians, in particular members of the government, refrain from comments that undermine the credibility, reputation and independence of the Public Defender institution.

ECRI reiterates its recommendation that the authorities clearly regulate the conditions for official recognition of a person’s new sex.

ECRI reiterates its recommendation that the Georgian authorities establish an effective monitoring system for racist and anti-LGBTI hate speech, building on the expertise of the Public Defender and relevant NGOs, including from the

LGBTI communities. If necessary, Council of Europe support should be sought.

ECRI reiterates its recommendation that the authorities conduct an impact assessment to evaluate the training activities for law enforcement officials, prosecutors and judges dealing with hate crime cases and, if necessary, adjust them.

ECRI recommends that the Georgian authorities significantly increase the number of hours of teaching of Georgian as a second language in minority schools at primary and secondary level.\*

ECRI recommends that the authorities form an inter-agency committee to implement the equality pillar of the National Human Rights Strategy 2022-2030 and its accompanying Action Plans. This committee should include representatives of the Public Defender’s Office, international organisations and relevant civil society organisations representing groups of concern to ECRI.\*

ECRI strongly recommends that the authorities focus their policies in the area of religion on the principle of non-discrimination and the promotion of religious tolerance from the perspective of inclusion and integration.

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\* The recommendation in this paragraph will be subject to a process of interim follow-up by ECRI no later than two years after the publication of this report.

## FINDINGS AND RECOMMENDATIONS<sup>1</sup>

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### I. EFFECTIVE EQUALITY AND ACCESS TO RIGHTS

#### A. Equality bodies

1. The Public Defender (Ombudsman) is a multi-mandate institution, elected by parliament, combining the function of the national equality body (anti-discrimination mechanism) with that of an ombudsman, of the National Preventive Mechanism (NPM) and of the Monitoring Mechanism for the Convention on Rights of Persons with Disabilities. ECRI notes that the Public Defender's Office is reasonably well resourced. In addition, legal provisions stipulate that its budgetary allocation cannot be lower than in previous years so as to avoid any political influence or pressure being exerted by the majority of parliamentarians. ECRI welcomes this, as well as the fact that the resource level allows for 10 regional offices to be maintained across the country in line with the recommendation made in ECRI's last report.<sup>2</sup>
2. However, ECRI was informed by the Public Defender's Office that in recent years only an average of some 30% of its recommendations that concerned the government were actually implemented, while the percentage for those concerning the equality and non-discrimination sector of relevance to ECRI was even lower. ECRI therefore strongly encourages the authorities to ensure better follow-up to the Public Defender's recommendations and significantly increase the implementation rate.
3. ECRI notes with serious concern that certain activities by the Public Defender in the area of its NPM mandate – notably with regard to the imprisoned former President Mikheil Saakashvili – attracted harsh criticism from some government politicians.<sup>3</sup> Although the specific criticism concerned the NPM part of the Public Defender's work, it is clear that such negative comments aimed at undermining the credibility, independence and reputation of the Public Defender as an institution and also have a negative impact on the Public Defender's work in the areas of relevance to ECRI.
4. ECRI recommends that the authorities ensure that politicians, in particular members of the government, refrain from comments that undermine the credibility, reputation and independence of the Public Defender institution.

#### B. Inclusive education

5. This part of the report deals with policies aimed at combating exclusion and marginalisation through inclusive education and fostering a society that is respectful of diversity and tolerant (sections II and III of ECRI's General Policy Recommendation (GPR) No. 10 on combating racism and racial discrimination in and through school education). The specific measures for helping children belonging to minority groups are dealt with below in sections III and IV of this report.
6. Discrimination of any kind is strictly prohibited in Georgian schools. At primary school level, the curriculum includes human rights and equality education components which are integrated into the subjects "Me and Society" and "Our Georgia". At secondary level, they are integrated into the courses "Citizenship" and

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<sup>1</sup> ECRI notes that the regions of Abkhazia and South Ossetia (Tskhinvali Region) are still not under the effective control of the Georgian authorities to whom this report is addressed (see also § 93 of ECRI's fourth monitoring cycle report on Georgia, 2010). ECRI will therefore not examine the situation in these regions in this report.

<sup>2</sup> ECRI 2016: § 22 (iii).

<sup>3</sup> See for example: Agenda.ge (18 November 2021), GD head: 'fake' conclusion on Saakashvili's health may cause legal problems for public advocate (available at: <https://agenda.ge/en/news/2021/3634>) and Agenda.ge (23 November 2021), CoE Human Rights Commissioner: Georgian politicians should 'fully respect' the ombudswoman (available at: <https://agenda.ge/en/news/2021/3700>). See also: Agenda.ge (4 August 2022), Ruling party MP claims Public Defender backing opposition, says party has "no pick" for the post (available at: <https://agenda.ge/en/news/2022/2975>).



“Civic Education”. In this context, it should be noted though that Georgia faces a shortage of qualified teachers, including due to low salaries, which often results in school administrations not being able to give the necessary attention to human rights education. Schools are not directly obliged to incorporate the promotion of human rights and equality into their extra-curricular activities.

7. Under Article 28 of the Decree 06/N (adopted on 29 January 2019) of the Minister of Education, Science, Culture and Sports on the Rules and Conditions for Security and Public Order in the General Education Institution, schools are obliged to organise awareness-raising campaigns for pupils on the topics of discrimination, bullying and cyber-bullying at least twice a year. However, there is no information available on the implementation and the follow-up on a school-by-school basis.
8. All *teacher training* courses provide knowledge about inclusive educational practices, but more general human rights and tolerance education is not an integral part of the curriculum. As regards the *continuing professional development* of teachers, there are trainings which include various human rights related issues. However, according to the Public Defender’s Office, the level of participation is low. The majority of teachers’ education programmes are related to the topics of tolerance (46.6%) and inclusive education (34%). The issue of working with multicultural groups of pupils has been included in the teacher training programmes to some extent (28.8%).<sup>4</sup> There are also non-compulsory summer camps for teachers about working in a multicultural environment.
9. According to the Georgian authorities, intercultural relations are also integrated into different training modules for teachers, including in the training course “Bullying prevention in schools and Supporting Development of Tolerant Culture”, developed by the National Centre for Teacher Professional Development. Up to 6 500 teachers have already benefited from this training. A 20-hour course for current primary and secondary civic education teachers with senior teacher status, entitled Peace Education – Peace processes, which also addresses intercultural relations, was developed by the National Centre for Teacher Professional Development (TPDC). In 2021, twelve groups were organised and 521 teachers were trained. In ECRI’s view, this could be considered as a **promising practice**.
10. The authorities also informed ECRI that within the framework of the Memorandum of Understanding signed between the Public Defender’s Office and the National Centre for Teacher Professional Development, a human rights training course for teachers has been developed and would become available to Georgian school teachers and principals from 2023.
11. ECRI recommends that the Georgian authorities collect data on how schools fulfil the obligation to organise awareness-raising campaigns for pupils on the topics of discrimination, bullying and cyber-bullying. ECRI also recommends that the authorities evaluate and scale up their professional development activities for teachers in the area of inclusive education, teaching in multicultural environments, respect for diversity and non-discrimination.
12. 692 state schools (covering 85% of pupils in the country) have *School Resource Officers* employed by the Office of Resource Officers of Educational Institutions whose job is to provide a safe and secure environment in school. In 2019, under the Council of Europe project entitled “Fight against Discrimination, Hate Crime and Hate Speech in Georgia”, a human rights education programme has been developed for the Office of Resource Officers of Educational Institutions. 56 staff members (psychologists, social workers and resource officers) have been trained as trainers by Council of Europe human rights trainers. As a result, in 2021 and 2022, they conducted trainings for about 1 000 resource officers on human rights, equality, diversity and the non-discriminatory approach. More than 650 educational

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<sup>4</sup> A training activity can cover several topics.



activities for students and teachers have been held, which reached more than 13 000 beneficiaries.

13. Furthermore, in 2021, the Office of the Resource Officers of Educational Institutions started to introduce a social work service in schools, which has been developed together with local and European experts. More than 60 social workers have been hired and deployed to 56 public schools. In order to respond to school conflicts in an early and effective manner, the Office of Resource Officers developed a *school mediation* concept. In 2021, the process of piloting school mediation has been started in 29 public schools.
14. According to the Public Defender's Office, the level of overall integration of human rights related aspects are relatively low with regard to *vocational education*. Nevertheless, according to information provided by the authorities, all vocational education programmes include the subject "civic education". At the basic vocational education level, civic education is presented as a separate compulsory module, while at the secondary and higher vocational education levels, civic education is integrated into the curricula in accordance with specific themes.
15. In addition, ECRI was informed that a new civic education module had been devised for vocational education programmes, which focuses on acquiring factual and conceptual knowledge on the one hand, and on developing the essential citizenship skills of a democratic society on the other. The project also developed a teacher guide and a student guide and implemented a cycle of civic education teacher training (107 civic education teachers were trained). The civic education module, updated from 2022 onwards, will gradually become part of all vocational education programmes.

#### **A. Irregularly present migrants**

16. There are no published official estimates about the number of migrants irregularly present in the country. However, all interlocutors met by ECRI reckon that it is fairly low. Georgia is not known to be a transit country on major migration routes.
17. There is no official government policy for this group beyond the Migration Strategy 2021-2030 part on "combating irregular migration" (chapter III). The authorities stated, however, that persons who are irregularly present in the country would have access to emergency medical care (such as urgently needed hospital treatment) and could access any non-urgent health care services as well without fear of registration or deportation, but would have to cover the costs themselves. Similarly, children of compulsory school-attending age would not be refused enrolment.
18. Furthermore, ECRI notes positively that – in line with its GPR No. 16 on safeguarding irregularly present migrants from discrimination – according to the authorities, reporting a hate crime to the police does not require verification of resident status ("firewall").
19. For any further aspects that might arise in the future with regard to migrants irregularly present in the country, ECRI encourages the authorities to take inspiration from its GPR No. 16.

#### **B. LGBTI equality**

20. ECRI notes that there is no official data on the LGBTI population in Georgia. Recommendation CM/Rec(2010)5 of the Council of Europe's Committee of Ministers on measures to combat discrimination on grounds of sexual orientation or gender identity indicates that personal data referring to a person's sexual orientation or gender identity can be collected when this is necessary for the performance of a specific, lawful and legitimate purpose. Without such information

there can be no solid basis for developing and implementing policies to address intolerance and discrimination against LGBTI persons.

21. In its previous report, ECRI recommended that the authorities take steps to combat intolerance and discrimination against LGBT persons in close cooperation with the LGBT community and the Public Defender.<sup>5</sup> Unfortunately, ECRI has not received any information that this recommendation has been implemented and it strongly encourages the authorities to do so without further delay.
22. The authorities have so far not reviewed existing legislation with a view to identifying gaps in order to assess in particular where same-sex couples, for which there is no legal possibility to register same-sex partnerships in Georgia, face problems in their day-to-day life (such as family law, property and contractual law, inheritance rules, as well as health-related issues).<sup>6</sup>
23. ECRI recommends that the authorities carry out a review of existing legislation in order to assess where same-sex couples, as a result of the absence of recognised same-sex partnerships, face problems in their day-to-day life with a view to addressing the identified problems in line with the Recommendation CM/Rec(2010)5 of the Council of Europe's Committee of Ministers on measures to combat discrimination on grounds of sexual orientation or gender identity and the case-law of the European Court of Human Rights.
24. ECRI also notes that there is no joint working group of government representatives and members of relevant civil society organisations in which LGBTI equality issues could be discussed. This absence of a formal channel for dialogue is regrettable and ECRI refers in this context to its recommendation made in § 85 below and encourages the authorities to include issues concerning LGBTI equality and non-discrimination adequately into the National Human Rights Strategy (NHRS) 2022-2030.
25. In spite of ECRI's recommendation in its last report (§ 114), there are still no clear criteria stipulated for the conditions that need to be fulfilled for the recognition of a new gender. A person can request a change of her/his name and sex in the official civil registry. Currently, a medical certificate of a domestic facility (or domestically approved foreign certificate) has to be produced, which confirms that a gender reassignment procedure has been completed. However, no criteria are set out for what exactly this procedure should consist of. Recently, one person had his procedure recognised, which included, besides hormonal treatment, full reassignment surgery including sterilisation. In the absence of any clear regulation, it is currently assumed by many persons concerned that this maximum extent is indeed the requirement for recognition. In this context, ECRI refers to the judgment of the European Court of Human Rights in the case of *A.P., Garçon and Nicot v. France*, which found that a sterilisation requirement is in breach of the European Convention of Human Rights.<sup>7</sup>
26. ECRI reiterates its recommendation that the authorities clearly regulate the conditions for official recognition of a person's new sex. Such rules should be in conformity with the case-law of the European Court of Human Rights.
27. As concerns intersex persons, ECRI was informed by the authorities that "sex-normalising" surgery is carried out in Georgia. Some general information about this topic is available in selected health facilities for persons concerned or their parents, in the case of children. In this context, ECRI invites the authorities to follow relevant international guidance and best practices on informing parents and take steps

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<sup>5</sup> ECRI 2016: § 108.

<sup>6</sup> In this context, see Recommendation CM/Rec(2010)5 of the Council of Europe's Committee of Ministers on measures to combat discrimination on grounds of sexual orientation or gender identity: § 25.

<sup>7</sup> See also the ECtHR judgment *A.D. and Others v. Georgia*.

aiming at enacting legislation that prohibits medically unnecessary surgery and therapies on intersex children.<sup>8</sup>

## II. HATE SPEECH AND MOTIVATED VIOLENCE

### A. Hate speech<sup>9</sup>

28. The Criminal Code of Georgia (CCG) contains in its Article 142-1 a general provision that criminalises racial discrimination, including acts “committed with the purpose to stoke national or racial animosity or hatred or humiliation of national dignity”.<sup>10</sup> In its previous report, ECRI had reiterated its recommendation to introduce further specific provisions prohibiting, inter alia, offences such as racist insults and the public dissemination or distribution with a racist aim of material containing racist statements.<sup>11</sup> However, no such provisions have been introduced.
29. ECRI recommends once more that the Criminal Code of Georgia be amended in order to prohibit racist insults and the public dissemination or distribution with a racist aim of material containing racist statements. In this context, due consideration should be given to ECRI’s General Policy Recommendation No.15 on combating hate speech and the Committee of Ministers’ Recommendation CM/Rec(2022)16 on combating hate speech, including LGBTI-phobic hatred. If necessary, Council of Europe support should be sought.
30. In its last report, ECRI noted that there was no official data concerning racist and anti-LGBTI hate speech in Georgia. ECRI recommended that the authorities establish an effective monitoring system for such hate speech, building on the expertise of the Public Defender and relevant NGOs.<sup>12</sup> This has not happened. Although the Georgian authorities established the Human Rights Protection and Investigation Quality Monitoring Department in the Ministry of Internal Affairs in 2018 (see section II.B. below), this is intended to monitor the investigation of hate crimes, to which only some criminalised forms of hate speech, such as threats, belong, not hate speech in general.
31. Various interlocutors met by ECRI expressed the opinion that hate speech is not uncommon in Georgia, but detailed information is missing given the absence of an effective monitoring system, as explained above. A lot of known hate speech cases are based on political affiliation (supporting or opposing the government, affiliation with a particular political party), which is not within ECRI’s mandate. While incidents of racist hate speech or hate speech related to religious intolerance do not appear to be common, there is a worryingly high level of hate speech against LGBTI persons. In her 2022 report on Georgia, the Human Rights Commissioner of the Council of Europe indicates that hate speech against LGBTI people no longer intensifies only at election time, as was the case in the past, but has now become part of everyday public discourse.<sup>13</sup> ECRI also notes that such hate speech is

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<sup>8</sup> See for example the Council of Europe Commissioner for Human Rights 2015, Human rights and intersex people; and the Council of Europe Parliamentary Assembly 2017, Resolution 2191.

<sup>9</sup> In its GPR No. 15 on combating hate speech, ECRI understands “hate speech” as the advocacy, promotion or incitement, in any form, of the denigration, hatred or vilification of a person or group of persons, as well as any harassment, insult, negative stereotyping, stigmatisation or threat in respect of such a person or group of persons and the justification of all the preceding types of expression, on the ground of “race”, colour, descent, national or ethnic origin, age, disability, language, religion or belief, sex, gender, gender identity, sexual orientation and other personal characteristics or status. More recently, in its Recommendation CM/Rec(2022)16 on combating hate speech, the Committee of Ministers of the Council of Europe defines “hate speech” as all types of expression that incite, promote, spread or justify violence, hatred or discrimination against a person or group of persons, or that denigrates them, by reason of their real or attributed personal characteristics or status such as “race”, colour, language, religion, nationality, national or ethnic origin, age, disability, sex, gender identity and sexual orientation.

<sup>10</sup> See ECRI 2016: § 2-3.

<sup>11</sup> ECRI 2016: § 7.

<sup>12</sup> ECRI 2016: §§ 23-24.

<sup>13</sup> Commissioner for Human Rights of the Council of Europe, Report following her visit to Georgia from 21 to 24 February 2022: §22.

particularly virulent around the dates of LGBTI-Pride events in the Georgian capital Tbilisi, as was the case for example in 2021 (see also section II.B. below).

32. ECRI reiterates its recommendation that the Georgian authorities establish an effective monitoring system for racist and anti-LGBTI hate speech, building on the expertise of the Public Defender and relevant NGOs, including from the LGBTI communities. If necessary, Council of Europe support should be sought.
33. Anti-LGBTI hate speech has increased in recent years also on privately-owned media outlets and among some politicians and public officials.<sup>14</sup> This underlines the importance of counter-speech from high-ranking public figures,<sup>15</sup> which unfortunately is few and far between. Positive examples in this regard are the President of Georgia, who spoke in support of freedom of expression of LGBTI persons in July 2021,<sup>16</sup> and the statement by the Public Defender and the Council of National Minorities in March 2022 against Russophobic hate speech (see section III.C. below). In this context, ECRI regrets that the comments from high-level officials opposing the 2021 LGBTI-Pride events in Tbilisi were not helpful but rather increased already existing tensions.
34. As already mentioned in ECRI's previous report,<sup>17</sup> online hate speech against LGBTI persons has been a growing problem and does not only spread insults and negative stereotypes against this group, but also frequently incites to discrimination or even violence.
35. Comments from members of the Georgian Orthodox Church clergy in the run-up to, during and after the LGBTI-Pride events in Tbilisi in 2021, have attracted particular attention. In some cases, their comments have been seen not only as insulting but as an incitement to violence against participants of the Pride events. Given the outbursts of severe violence during these events (see section II.B. below), this is of particular concern. ECRI was informed by a high-ranking representative of the Georgian Orthodox Patriarchate that although the Georgian Orthodox Church rejects homosexuality as a sin, and is therefore opposed to public LGBTI events, it is equally opposed to any form of violence against LGBTI persons as it also considers violence to be a sin and strongly condemns it. In this regard, ECRI was informed that any calls for violence or actual engagement in such behaviour constitute the wrongdoing of individual clergy members and is in no way officially authorised, supported or condoned by the Georgian Orthodox Church. While it is not ECRI's role or area of expertise to comment on theological discussions and doctrines concerning homosexuality, it strongly encourages the Georgian authorities to make use of the Georgian Orthodox Church's rejection of violence during future LGBTI-Pride events, for example by jointly calling on potential protesters to strictly refrain from any form of violence. Mutual respect for the other side's right to peaceful demonstration should become a foundation for better respect for diversity.

## **B. Hate-motivated violence<sup>18</sup>**

36. The Georgian authorities regularly report hate crime incidents to the Organisation for Security and Cooperation in Europe's Office for Democratic Institutions and

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<sup>14</sup> Ibid.

<sup>15</sup> See also ECRI General Policy Recommendation No. 15 on combating hate speech and Recommendation CM/Rec(2022)16 of the Council of Europe's Committee of Ministers to member States on combating hate speech.

<sup>16</sup> See also: Commissioner for Human Rights of the Council of Europe, Report following her visit to Georgia from 21 to 24 February 2022: § 22.

<sup>17</sup> ECRI 2016: § 38.

<sup>18</sup> In the present report, hate crime should be understood as any criminal offence motivated by hate or prejudice on grounds such as "race", colour, language, religion, citizenship, national or ethnic origin, sexual orientation or gender identity, whether real or presumed. For further information about the notion of hate crime, see <http://hatecrime.osce.org/what-hate-crime>

Human Rights (OSCE/ODIHR).<sup>19</sup> In 2016, out of 42 hate crime incidents recorded by the police<sup>20</sup> only two were recorded as having had a “racist or xenophobic” motivation, 25 were recorded as having been based on “religion or belief” (three of which had an anti-Muslim motivation) and 12 were recorded as anti-LGBTI incidents. Out of the 86 recorded incidents in 2017, again only two fell into the category of “racist or xenophobic” motivation, 10 were based on “religion or belief” (eight anti-Christian and two anti-Muslim incidents) and 49 were anti-LGBTI incidents.

37. It should be noted that the reported total number of hate crime incidents also includes those based on gender or disability, which do not fall under ECRI’s mandate. This is to be kept in mind when considering that the total number of hate crime incidents recorded by the Georgian police rose dramatically to 344 in 2018, 775 in 2019 and 989 in 2020, as this was due to extremely strong increases in the number of hate crimes related to gender. Nevertheless, a very strong and sustained increase is also noticeable with regard to anti-LGBTI incidents. These had risen further to 85 in 2018, and to 133 in both 2019 and 2020. While, according to the OSCE/ODIHR data, there were no incidents based on religious hatred recorded in 2018,<sup>21</sup> the number rose to 47 in 2019 but diminished again by more than half to 22 in 2020. The number of racist and xenophobic cases rose sharply from 10 in 2018 to 77 in 2019 but then fell again to 49 in 2020.
38. NGO reports also indicate that the period around 2018 was marked by an increase in aggression and violence towards foreign nationals, especially from African and Asian countries. Racist assaults against persons with darker skin colour occurred more often at the same time as neo-Nazi groups became more visible and active on social media and in some parts of central Tbilisi.<sup>22</sup> Examples in 2018 included a case in one of the capital’s districts, where locals assaulted foreign nationals and forced them out of a municipal stadium, as well as an incident later that year in the town of Rustavi, where a Georgian citizen attacked a Cameroonian national on public transport because of his skin colour.<sup>23</sup>
39. In September 2018, a tragic climax was reached when the Jewish human rights defender Vitaly Safarov, who had worked on projects to support the integration of ethnic minorities, was murdered.<sup>24</sup> During the subsequent trial, the Prosecutor’s Office requested the recognition of an antisemitic motivation, which was rejected by the first instance court. The Prosecutor’s Office appealed the judgment and requested an acknowledgement of the bias motivation in the form of ethnic hatred (antisemitism). The case is still pending at the Tbilisi Appellate Court. As mentioned in ECRI’s previous report, Article 53 (General Principles of Sentencing) of the Criminal Code had been amended in 2012 to introduce racial, religious, national, or ethnic intolerance or any other discriminatory motivation, as aggravating circumstances.<sup>25</sup> However, it also notes in this context the particularly cynical fact

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<sup>19</sup> <https://hatecrime.osce.org/georgia?year=2020>

<sup>20</sup> It should be noted that this does not necessarily mean that they are in the end confirmed hate crime cases. The number of prosecutions and convictions is considerably lower. However, their annual numbers do not neatly correspond to the number of cases reported to/recorded by the police as court cases do not necessarily take place in the same calendar year. Furthermore, the OSCE/ODIHR hate crime statistics contain cases of violence against persons and of violence against property as well as threats – the latter of these does not fall into ECRI’s category of racist and anti-LGBTI violence but into its thematic area of hate speech (see section II. 1 above).

<sup>21</sup> However, ECRI was informed by the authorities in early 2023 that they have information about 20 incidents based on religious hatred in 2018.

<sup>22</sup> Tolerance and Diversity Institute (2019), Racial intolerance and xenophobia – rights of foreign nationals in Georgia: 9. – See also: Tolerance and Diversity Institute (12 October 2018), TDI’s statement on Vitaly Safarov’s Murder Investigation, available at: <https://tdi.ge/en/statement/tdis-statement-vitaly-safarovs-murder-investigation>

<sup>23</sup> Tolerance and Diversity Institute 2019: 9.

<sup>24</sup> Tolerance and Diversity Institute (12 October 2018).

<sup>25</sup> Cf. ECRI 2016: § 6.



that the family of late Mr Safarov was, even after his death, subjected to a neo-Nazi inspired antisemitic hate campaign on social media.<sup>26</sup>

40. Notwithstanding the severity of the above-mentioned case, it should be noted though that this act of antisemitic violence is highly unusual for Georgia, which very rarely sees expressions of antisemitic hatred and is a country in which the Jewish community can generally live without fear or security concerns. ECRI's interlocutors also pointed out that since 2020 racist and xenophobic hate crimes have become less of a problem and usually do not involve violence.
41. Religious intolerance remains a problem in Georgia (see also section IV. C below). However, ECRI was informed that violence against Jehovah's Witnesses, which for many years had been a growing phenomenon that all too often went unpunished, has significantly decreased in recent years. While ECRI in its last report referred to 25 violent attacks against members of Jehovah's witnesses in 2014, including one death, and 53 such attacks in 2013<sup>27</sup>, the number reported by Jehovah's Witnesses for 2019, the last year before the Covid-19 pandemic, was eight attacks against persons (plus 15 acts of vandalism). ECRI was informed that these numbers have dropped further since, most probably due to the fact that Jehovah's Witnesses stopped their public outreach with the onset of the Covid-19 pandemic. ECRI strongly encourages the authorities to ensure that any potential upsurge in violence against Jehovah's Witnesses, in particular in the context of a renewed uptake of their public outreach activities, is swiftly and appropriately responded to.
42. ECRI takes positive note of the fact that Jehovah's Witnesses themselves consider the Human Rights Protection and Investigation Quality Monitoring Department of the Ministry of Internal Affairs (see also § 48) as having been effective in improving the quality of investigations into religiously motivated hate crimes and the attitude of police officers towards victims. However, Jehovah's Witnesses also note that in some cases, the Prosecutor's Office still seems reluctant to bring charges against offenders and to recognise victims.<sup>28</sup> Reference is made in this regard to the recommendation made in § 50 of the present report about training of prosecutors and other criminal justice actors.
43. In Georgia, the most problematic area as concerns violence within ECRI's mandate is the high level of anti-LGBTI hate crimes, including violence against persons, which remains a major problem. Such threats and attacks happen in particular – though not only – in the context of LGBTI Pride events.
44. In July 2021, large-scale counter demonstrations in Tbilisi against the "March of dignity" organised by the LGBTI-Pride coordinators descended into violence against participants, organisers, sympathisers and journalists. The march had to be cancelled and the headquarters of the organisers was attacked. LGBTI activists and human rights defenders were threatened and attacked. The organisers complained that the number of police officers mobilised at relevant locations to ensure security was insufficient. Journalists that fell victim to attacks have also pointed out inaction on the part of the police. At least one cameraman had to be hospitalised.<sup>29</sup> The events of 5 July 2021 created shockwaves and instilled fear among many members of the LGBTI communities in Georgia and their supporters. The inaction of the limited police forces that were present also caused considerable mistrust among many LGBTI activists in the law enforcement authorities and their

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<sup>26</sup> Tolerance and Diversity Institute (16 March 2022), New alarming incidents of antisemitism in Georgia, available at: <https://tdi.ge/en/news/1021-new-alarming-incidents-antisemitism-georgia>.

<sup>27</sup> ECRI 2016: § 51.

<sup>28</sup> In this context, see also the case *Tsulukidze and Others v. Georgia* pending before the European Court of Human Rights (application no. 14797/11).

<sup>29</sup> The cameraman in question was found dead six days later. However, an official investigation concluded that the cause of his death was not related to the injuries he had sustained.



willingness to protect Pride events in the future.<sup>30</sup> ECRI strongly encourages the Georgian authorities to ensure that the events surrounding the violence against the “March of dignity” on 5 July 2021 are effectively investigated, perpetrators of acts of violence are all held to account and such outbursts of violence and intimidation do not occur in the future, including through a review of police operations during such events.<sup>31</sup>

#### *Accountability for hate-motivated violence*

45. The authorities informed ECRI that in 2021, 69 persons were charged with crimes motivated by anti-LGBTI hatred, 11 with crimes motivated by racist and xenophobic hatred (includes ethnicity and citizenship) and five with crimes motivated by religious intolerance. In 2020, 22 persons were charged with crimes motivated by anti-LGBTI hatred, four with crimes motivated by religious intolerance and seven with crimes motivated by racist and xenophobic hatred. In 2019, 32 persons were charged with crimes motivated by anti-LGBTI hatred, 14 with crimes motivated by religious intolerance and 12 with crimes motivated by racist and xenophobic hatred.
46. The authorities emphasise that the number of individuals prosecuted for crimes committed with a homo-/transphobic motive has been increasing since ECRI’s last report and consider that this indicates an increased awareness among prosecutors regarding hate crimes and improved techniques of motive identification in the course of investigations. From 2016-2021, as a result of investigations of crimes based on homo-/transphobic motives, criminal prosecutions were launched against 169 persons.
47. For 2019 and 2020, the Supreme Court of Georgia collected information on hate crime cases and provided information on judgments by the City-/District Courts of Georgia where the intolerance motive provided by Article 53 of the Criminal Code has been used as an aggravating circumstance in cases of racist, religious and homo-/transphobic hate crimes. Sexual orientation and gender identity were the most frequent aggravating circumstances in these cases, followed by religious intolerance. In its last report, ECRI had recommended that the authorities create a joint database for all hate crime cases, including those in which aggravating circumstances were applied.<sup>32</sup> The authorities informed ECRI that, in September 2020, with the support of the Council of Europe, a Memorandum of Cooperation was signed between the Ministry of Internal Affairs, the Prosecutor’s Office, the Supreme Court and the National Statistics Office with the purpose of developing a single definition of hate crime, relevant criteria and statistical accounting units. This enables the collection and publication of improved statistical information on this category of crimes, which ECRI welcomes. In this context, ECRI also notes that the OSCE/ODIHR remarked in 2020 that it recognises “Georgia’s efforts to improve its hate crime recording and data collection as well as to make the hate crime data public. However, ODIHR observes that Georgia would benefit from strengthening the inclusion of, collaboration with, and facilitating work of, civil society working on hate crimes and with victims.”<sup>33</sup>
48. According to the authorities, there has been an improvement in the quality of hate crime investigations and an increase in trust in the police, as a result of the establishment of the Human Rights Protection and Investigation Quality Monitoring Department within the Ministry of Internal Affairs,<sup>34</sup> which monitors the quality of

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<sup>30</sup> According to the official information provided to ECRI, 31 people were charged with having committed crimes with a bias motivation on the grounds of sexual orientation or gender identity.

<sup>31</sup> In this context, see also the judgement of the European Court of Human Rights in the case of *Identoba and others v. Georgia*.

<sup>32</sup> ECRI 2016: § 48.

<sup>33</sup> OSCE/ODIHR website on hate crime reporting 2020: <https://hatecrime.osce.org/georgia?year=2020>

<sup>34</sup> See also ECRI 2019.

hate crime investigations. This department develops methodologies, monitors the process of investigations, and makes recommendations for general improvements. According to the authorities, the department's work has started changing the attitudes of police officers towards vulnerable groups and hate crimes. It can also propose disciplinary sanctions and co-operates with relevant government agencies as well as NGOs. However, ECRI also met representatives of various civil society organisations that – although acknowledging the useful work of this new department – expressed their dissatisfaction with the rather limited scope of the department's mandate, which is not tasked to carry out investigations into hate crime incidents itself. In 2019, ECRI had already pointed out the same shortcoming in its interim follow-up conclusions on Georgia.<sup>35</sup>

49. ECRI recommends that the authorities (i) build on their existing efforts to ensure the availability of accurate data for all hate crime cases, including those in which aggravating circumstances were applied, and (ii) set up a specialist unit within the police to deal specifically with racist and LGBTI-phobic hate crime, seeking expert advice from the Public Defender, relevant NGOs and international organisations.

#### *Capacity-building to improve hate crime investigations*

50. In its last report, ECRI had recommended that training activities for the judiciary and law enforcement officials investigating incidents of hate crime were scaled up and should also cover homo-/transphobic hate crime.<sup>36</sup> ECRI has been informed that combating discrimination and hate crimes was an important part of the 2017-2021 Action Plan of the Prosecution Service of Georgia and that in addition to training and the implementation of guidelines, specialised prosecutors on hate crime were selected. The 2022-2027 Strategy of the Prosecution Service of Georgia prioritises combating crimes committed on the grounds of intolerance (hate crime cases). Since 2020, the procedural guidance on crimes committed on the grounds of intolerance is applied by specialised prosecutors, who have undergone training with the support of the Council of Europe: 35 managers, 97 prosecutors and investigators, and 18 witness and victim coordinators have been trained. Subsequently, in 2021, the Prosecution Service of Georgia organised a meeting of specialised prosecutors and judges, as part of the Council of Europe project “Combating Discrimination, Hate Speech and Hate Crimes”.
51. In January and February 2022, several trainings for judges covering hate crime cases have been carried out by the High School of Justice. In 2021, in collaboration with the Council of Europe, a three-months intensive course “Hate Crime and Hate Speech” for the Prosecution Service of Georgia trained 25 investigators, 25 specialised prosecutors and 27 judges. With regard to training programmes for prosecutors, in 2020 the Council of Europe's HELP<sup>37</sup> course entitled “The skills of effective investigation, prosecution and judgment of hate crimes” was implemented in the Ministry of Internal Affairs (MIA), the Prosecution Service of Georgia and the judiciary. Police detectives, specialised prosecutors and judges participated.
52. Several Training-of-Trainers (ToTs) sessions were also held in 2020 and 2021, based on materials developed by the OSCE/ODIHR and the Council of Europe on combating hate crime (including on the grounds of religious intolerance), the needs of the LGBTI community and services provided by NGOs. Psychologists and local NGO representatives were involved. Activities were carried out in Tbilisi and Batumi and resulted in the training of 274 MIA employees. Already in 2018-2019, some 200 employees of the MIA were trained on hate crime issues and more than 700 patrol police officers and 100 investigators were trained on the effective investigation of hate crime cases. In total, during the period 2018-2022, more than

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<sup>35</sup> ECRI 2019: 5.

<sup>36</sup> ECRI 2016: § 67.

<sup>37</sup> The European Programme for Human Rights Education for Legal Professionals (HELP) – <https://help.elearning.ext.coe.int/>

3 200 MIA employees were trained on the conduct of effective investigations into hate crimes.

53. Overall, ECRI notes positively the various capacity-building activities that the Georgian authorities have implemented for law enforcement officials, prosecutors and judges in the handling of hate crime cases. ECRI considers that the authorities should continue with the implementation of training activities in this thematic area. At the same time, it also notices that an impact assessment to evaluate the activities and, if necessary, to adjust them – as had also been recommended by ECRI in its last report<sup>38</sup> – has not been carried out so far.
54. ECRI reiterates its recommendation that the authorities conduct an impact assessment to evaluate the training activities for all law enforcement officials, prosecutors and judges dealing with hate crime cases and, if necessary, adjust them.

### III. INTEGRATION AND INCLUSION

#### A. Main historical ethnic minorities and teaching of the Georgian language

55. Georgia has a long tradition of being a multi-ethnic and multi-lingual country. In this context, ECRI also refers to the work of the Council of Europe's Advisory Committee on the Framework Convention for the Protection of National Minorities (ACFC). The work of the two bodies is based on complementarity: the ACFC covers issues related to the expression of a separate identity, such as mother-tongue education, while ECRI looks at the situation from an integration and inclusion perspective. According to the results of the 2014 General Population Census, ethnic Georgians make up about 87% of the country's population. The two largest ethnic minorities, Azerbaijanis and Armenians, are 6.3% and 4.5% respectively and live compactly in the regions of Kvemo Kartli and Samtskhe-Javakheti. The Office of the State Minister of Georgia for Reconciliation and Civic Equality coordinates the development and implementation of the state policy for civic equality and integration of ethnic minorities. The long-term objectives of this policy have been consolidated in the State Strategy for Civic Equality and Integration 2021-2030.<sup>39</sup> This strategy defines several priority areas, including the use of the state language (Georgian) to support integration and access to quality education.<sup>40</sup> The document has been praised by civil society organisations for accurately reflecting the main challenges for the effective integration of ethnic minorities. At the same time, it has been criticised for failing to identify the root causes of areas of concern and for often being non-specific, thus replicating the shortcomings of the previous strategy.<sup>41</sup> ECRI considers it necessary that these shortcomings are remedied in the future annual Action Plans of the State Strategy 2021-2030, but notes in this context that there is no institutional mechanism for ethnic minorities to provide inputs for concrete measures to the authorities as part of the strategy's implementation process.
56. ECRI recommends that the authorities set up a formalised channel for ethnic minorities to provide inputs to the Office of the State Minister of Georgia for Reconciliation and Civic Equality for designing the annual Action Plans that will implement the State Strategy for Civic Equality and Integration 2021-2030.
57. ECRI has repeatedly heard from its civil society interlocutors that the efforts for the effective integration of members of ethnic minorities are unfortunately often accompanied by a national security perspective (see also § 88), alongside a lack

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<sup>38</sup> ECRI 2016: § 67.

<sup>39</sup> Government of Georgia, 2021, [State Strategy for Civic Equality and Integration 2021-2030](#).

<sup>40</sup> There has been a long tradition of supporting mother-tongue education among ethnic minorities, which, however, unfortunately also resulted in an insufficient priority for learning Georgian as the common language of the country.

<sup>41</sup> Social Justice Centre, [Critical analysis of the State Strategy for Civic Equality and Integration](#), 2021: 2-3 and 12-13.

of trust in certain minorities<sup>42</sup> and the perception of persons belonging to ethnic minorities as “guests” from neighbouring countries rather than Georgian citizens.<sup>43</sup>

58. Historically, the linguistic divide has been a major obstacle to the social integration of the non-Georgian-speaking populations into Georgian society. In this respect, ECRI takes positive note of the authorities’ significant efforts to improve the ethnic minorities’ proficiency in the Georgian language. The “Non-Georgian Language Schools Support” programme, offered by the LEPL National Centre for Teacher Professional Development, aims at supporting the professional development of teachers of non-Georgian language schools densely populated by national minorities. From 2016 to 2021, approximately 250-280 consultants and support teachers participated in this programme. ECRI welcomes as a **promising practice** the Georgian authorities’ strategic decision to increasingly invest in the ethnic minorities’ bilingual education in the reporting period,<sup>44</sup> which had been a long-standing proposal of the Public Defender. At higher education level, the added value of the affirmative action policy, also known as the 1+4 programme,<sup>45</sup> which was initiated in 2010, has been widely acknowledged. The programme has proved to be very popular and the number of students enrolled thereto has seen a fivefold increase between 2010 and 2021.<sup>46</sup> ECRI notes with satisfaction that the programme, which was initially foreseen to expire in 2018, has been extended.
59. Despite these efforts and the slight progress they have produced, the knowledge and effective use of the Georgian language overall remains an acute challenge in the regions densely populated by ethnic minorities. According to the 2014 census, 44.5% of the ethnic Armenians and 73.9% of the ethnic Azerbaijani citizens had poor competence in the state language. This does not only create problems in their daily communications, but also reduces their ability to access services as well as education and employment opportunities.
60. More recent relevant data are only sporadically available,<sup>47</sup> given that no equality data collection system has been set up to monitor the integration and inclusion of minorities, as ECRI has been consistently recommending since 2010.<sup>48</sup> However, the authorities acknowledge that there is a problem with the development of a consistent, continuous and unified system of teaching the state language at all levels, including preschool, general school, vocational and higher education, which impedes the effective implementation of the curricula.<sup>49</sup> Regarding preschool

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<sup>42</sup> ACFC 2019: 2.

<sup>43</sup> In March 2021, the discussion concerning the establishment of a Scientific-Advisory Council for National Minorities - an otherwise welcome consultation mechanism - was met with criticism due to its suggested placement under the Parliamentary Committee on Diaspora and Caucasus Issues, thus reinforcing the discourse of seeing ethnic minorities from a perspective of regional politics and linking them with other states. It was unclear why this Council could not have been placed under the Parliamentary Committee on Human Rights and Civil Integration, whose direct task is to promote policy development and monitoring of civic integration (see: Social Justice Centre, [Public Organizations condemn the Parliament’s decision to consider ethnic minorities as diaspora](#), (17 March 2021)). The authorities informed ECRI that, in the end, this scientific advisory council was not established.

<sup>44</sup> Following the implementation, in 2020, of bilingual pilot programmes in four schools and four kindergartens in Kvemo Kartli and Samtskhe-Javakheti, the programme “Introduction of State Standards in Preschools and Schools of National Minorities” included, in January 2022, 25 non-Georgian language schools (12 Armenian and 13 Azerbaijani), whereas the addition of another 30 schools was foreseen by September 2022 to reach a total of 55 schools (18 Armenian, 24 Azerbaijani and 13 Russian).

<sup>45</sup> Under this programme, a quota is allocated for non-Georgian-speaking students, who have the opportunity to take a general skills test in their mother tongue instead of four exams that Georgian native teachers have to take. If they pass this skills test, they undergo a one-year intensive language programme at the university in order to attain the required level of command of the Georgian language before being able to continue their studies at the undergraduate level.

<sup>46</sup> 247 non-Georgian mother-tongue entrants were enrolled in Higher Educational Institutions (HEIs) in 2010; 741 in 2015; 960 in 2016; 1,047 in 2017; 1,231 in 2018; 1,334 in 2019; 1,191 in 2020; and 1,207 in 2021 ([State Strategy for Civic Equality and Integration 2021-2030](#): 18). The small decline of the last two years can be attributed to the consequences of the Covid-19 pandemic.

<sup>47</sup> EMC - Human Rights Education and Monitoring, [Systemic challenges of the education policy towards the ethnic minorities in Georgia](#), 2020: 23.

<sup>48</sup> ECRI 2010: § 105 and ECRI 2015: § 91.

<sup>49</sup> Government of Georgia, [State Strategy for Civic Equality and Integration 2021-2030](#): 13.

education, despite the intensive construction of kindergartens that was carried out over the past years and the recent re-introduction of the obligation for the development of basic Georgian communication skills in non-Georgian kindergartens,<sup>50</sup> such kindergartens in the regions densely populated by ethnic minorities are still sparse<sup>51</sup> and the rate of enrolment of children in preschools therein is 25.5% (on average), as opposed to a general average of 65% in Georgia.<sup>52</sup> ECRI therefore strongly encourages the authorities to invest more resources into the early childhood education of non-Georgian-speaking children, with a view to facilitating the acquisition of Georgian and preventing educational disadvantage.

61. General (compulsory) education for ethnic minorities remains a core area of concern.<sup>53</sup> Complex qualitative and quantitative challenges persist in connection to the teaching of Georgian as a second language. Qualitative concerns are mostly related to the teachers' qualifications and the quality of the available textbooks,<sup>54</sup> although ECRI received some positive information about steps planned to address this issue and ECRI encourages the authorities to implement them. However, in general education, Georgian as a second language is included in the school programme in courses of 45 minutes per day. This means that non-Georgian mother-tongue pupils, who otherwise mainly communicate in their native languages both in their family and in their school environment, are only exposed to the proper instruction of the Georgian language for less than five hours per week. Such a low exposure to the state language is clearly insufficient to equip non-Georgian mother-tongue pupils with the necessary language skills to enable them to access the full range of higher education and employment opportunities in Georgia.
62. ECRI recommends, as a matter of priority, that the Georgian authorities significantly increase the number of hours of teaching of Georgian as a second language in minority schools at primary and secondary level.

## B. Roma

63. The Roma population in Georgia is relatively small and not homogenous.<sup>55</sup> It comprises several distinct groups that are scattered across the country. Significant Roma communities reside in Tbilisi, in the Kakheti region, in the Gachiani district (Gardabani municipality), in Kobuleti and Kutaisi. There is a noticeable lack of Roma representation in public life in general, and in the conception, implementation and evaluation of the policies that concern them in particular. A number of community leaders act as focal points for communication with the local authorities. However, they do not appear to be consulted on Roma inclusion policies. ECRI therefore encourages the authorities to take measures aimed at enhancing Roma involvement in inclusion policies that concern them, as well as

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<sup>50</sup> State Strategy for Civic Equality and Integration 2021-2030: 14.

<sup>51</sup> According to information provided by NGOs, in the Bolnisi municipality, there are only 12 kindergartens, the majority of which are located in villages with a stronger presence of ethnic Georgians.

<sup>52</sup> Government of Georgia, State Strategy for Civic Equality and Integration 2021-2030: 16.

<sup>53</sup> This is despite the fact that there are now about 300 non-Georgian language public schools in Georgia (14% of the total number of schools) for approximately 52,000 schoolchildren (10% of their total number) (*ibid*).

<sup>54</sup> In particular, around 30% of the texts included therein have not been translated and are only available in Georgian, thus being skipped over by teachers with poor command of the Georgian language (Social Justice Centre, [Systemic challenges of the education policy towards the ethnic minorities in Georgia](#), 2020: 16; see also ECRI 2010: §§ 35 and 37 and ECRI 2015: § 82).

<sup>55</sup> In the 2014 General Population Census, 604 persons self-identified as Roma. However, on the basis of academic and field research, the former Ad hoc Committee of Experts on Roma and Traveller Issues (CAHROM) estimated the overall Roma population in Georgia at 4,500 persons, or 0.12% of the total population in 2017 (see: CAHROM (2017), Thematic visit report on the situation of Eastern Roma groups (Rom, Lom/Bosha, Dom/Garachi, Abdal) and potential policy responses to their needs: 10).



strengthening their cooperation with Roma focal points, including by potentially offering them specific training as mediators.<sup>56</sup>

64. As concerns the lack of identification documents, including birth certificates, of Roma persons,<sup>57</sup> ECRI takes positive note of the issuance, between January 2019 and February 2022, of 78 identification documents of different kinds by the Public Service Development Agency. It furthermore welcomes the results of a project run by the Public Defender's Office in coordination with Roma representatives between 2015 and 2020, in the course of which identification documents were issued for a number of Roma. ECRI encourages the authorities to pursue their efforts, in cooperation with the Public Defender's Office and Roma representatives, to resolve the remaining cases of Roma still lacking identification documents.
65. As regards housing, problems with the supply of utilities (usually due to poverty and inability to pay) are said to be commonplace.<sup>58</sup> ECRI trusts that the elaboration of the so-called "Social Code", launched in 2021, will result in tangible improvement in the housing conditions of Roma.
66. In the field of education,<sup>59</sup> ECRI is pleased to note that some initiatives have been taken by the Ministry of Education, including through the educational programme "Supporting Social Inclusion".<sup>60</sup> The action taken in the 5<sup>th</sup> Public School in Kobuleti has been widely acknowledged as a **promising practice** in the successful implementation of this programme. As a result of these efforts, the attendance of Roma children in public schools increased from 88 in 2014 to 346 in 2020. Nevertheless, no specific programmes appear to be implemented to enhance Roma pre-school attendance. As a result, according to the authorities, in 2022, only 50 Roma children were enrolled in pre-school education. As regards compulsory education, despite some progress achieved, it is generally acknowledged that only a minority of Roma children attends school regularly, and among those who do, drop-out rates by the sixth grade are said to be high.<sup>61</sup> The link between bigger drop-out rates among Roma girls<sup>62</sup> and early marriages, a phenomenon that persists among the Roma populations despite its legal ban, in 2017, is not being adequately monitored. In addition, no specific programmes offer incentives to Roma children to continue with secondary education.
67. In the field of employment, the informal economy remains among the main sources of income for many Roma in urban areas, while some are occupied in the agricultural sector in rural areas.<sup>63</sup> Negative stereotypes about Roma persist and add further challenges to finding employment. Roma representatives are occasionally employed as coordinators under the above-mentioned social inclusion educational programme.<sup>64</sup> ECRI was informed that, in 2021, a Vocational Skills Agency was established in cooperation with the Chamber of Commerce. A

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<sup>56</sup> ECRI General Policy Recommendation (GPR) No. 13 on combating antigypsyism and discrimination against Roma, §§ 2-3.

<sup>57</sup> ECRI 2010: § 58 and CAHROM 2019: 8.

<sup>58</sup> CAHROM 2019: 17.

<sup>59</sup> ECRI 2016: § 89.

<sup>60</sup> The programme introduces "educational clubs" in the regions hosting compact Roma populations, aimed at uniting Roma and ethnic Georgian children around common educational and cultural activities, with a view to promoting the inclusion of Roma children and to enhance their language skills in Georgian. In 2020-2021, six projects have been implemented under this programme, including, among others, the setting-up of a reading and music therapy club in Khornabuji and an Eco club in N4 Poti Public School.

<sup>61</sup> ECRI learned during its visit to Gardabani that the social welfare services of the municipalities monitor closely the situation regarding drop-outs on a case-by-case basis. If the drop-out is due to financial problems, they provide financial assistance to the families, in implementation of a social assistance programme for vulnerable persons. In all other instances, they refer the case to the Ministry of Education which attempts to find a solution in consultation with the family concerned.

<sup>62</sup> Indicatively, as per official data, among 22 Roma pupils who completed compulsory education in 2021, only 6 were girls.

<sup>63</sup> CAHROM 2019: 8.

<sup>64</sup> Office of the State Minister of Georgia for Reconciliation and Civic Equality/State Inter-Agency Commission, Report on the implementation of 2019 Action Plan of the State Strategy for Civic Equality and Integration, 2020: 5.



2023-2027 Strategy on vocational education and training is to cover, inter alia, activities for the inclusion of vulnerable groups and is scheduled to be submitted to the Government in the course of 2023.

68. ECRI recommends that the authorities ensure that i) an increasing rate of Roma children completes secondary education and ii) particular attention is paid to the situation of Roma, in particular those with limited or no formal education, in the implementation of the 2023-2027 Strategy on vocational education and training.

### C. Intolerance and discrimination against ethnic Russians

69. In the context of its previous visit to Georgia, ECRI had not identified any particular problems with regard to intolerance and discrimination experienced by ethnic Russians in spite of the political tensions between Georgia and the Russian Federation following the 2008 war between the two countries and the Russian support for and military occupation of the breakaway regions of Abkhazia and South Ossetia (Tskhinvali Region). It seemed that the overwhelming majority of Georgians clearly differentiated between the politics of the Russian government on the one hand and Russians as individual persons or a historical ethnic minority in Georgia (the third largest in the country, according to the last census in 2014 with approximately 26 500 members who mainly live in urban areas<sup>65</sup>) on the other hand. Since the aggression of the Russian Federation against Ukraine in February 2022, a strong wave of sympathy and support for the Ukrainian people has swept through Georgia during the following months. At the same time, several tens of thousands of Russians (some estimates go up to 70 000<sup>66</sup> at the time of the ECRI visit, although the number of those who subsequently stayed in the country was unclear) came from the Russian Federation to Georgia – for which they do not require a visa – for a variety of reasons, including political (opposition to the Russian government and/or the war against Ukraine), economic and financial (such as moving financial assets out of Russia to avoid being affected by sanctions), personal, transiting to a third country or a combination of factors.
70. During its visit, ECRI received information about initial expressions of anti-Russian resentments and instances of discriminatory treatment. In late February and early March 2022 there were, for example, cases of refusal of accommodation rental or banking services to Russians and of shops placing signs “Not for Russians” on some products. The government reacted swiftly with changes to the consumer rights regulations now banning such discriminatory practices. ECRI commends the authorities for this. Furthermore, certain stories circulating on social media and among mass-media outlets portrayed newly arriving Russians as a potential “fifth column” and threat to Georgian security.<sup>67</sup> In this context, ECRI notes that the Public Defender jointly with the Council of National Minorities quickly spoke out against such negative stereotyping, discriminatory treatment and hate speech against Russians, also emphasising the risk that such behaviour can potentially have a broader adverse effect on other minorities. The joint statement calls upon “the representatives of the Georgian Government, opposition, political parties, media outlets, our fellow citizens and users of social networks to promote informed discourse and not to allow ethnic discrimination.”<sup>68</sup> ECRI considers this to be a **good practice**.

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<sup>65</sup> National Statistics Office of Georgia, “General Population Census Results 2014”, available at: <https://www.geostat.ge/en/modules/categories/737/2014-general-population-census-results>

<sup>66</sup> With more than 20 000 in the first two weeks alone – see: Eurasianet, (7 March 2022) “Rising Georgian backlash to Russian influx”, available at: <https://eurasianet.org/rising-georgian-backlash-to-russian-influx>

<sup>67</sup> Eurasianet, (7 March 2022) “Rising Georgian backlash to Russian influx”.

<sup>68</sup> Public Defender of Georgia, “Statement by Public Defender and Council of National Minorities” (11 March 2022), available at: <https://www.ombudsman.ge/eng/akhali-ambebi/sakartvelos-sakhalkho-damtsvelisa-da-sakhalkho-damtsveltan-arsebuli-erovnul-umtsiresobata-sabchos-gantskhadeba>

71. While the situation following Russia's aggression against Ukraine had initially become more tense, as described above, representatives of ethnic Russians in Georgia also informed ECRI that they experienced a marginalisation in public affairs to some extent over recent years already. Alleged examples have been the discontinuation of invitations to participate in public events such as crafts-and-trade shows or as speakers in academic conferences for Georgian citizens of Russian ethnicity. If true, this would not be conducive to achieving a better integration and inclusion of ethnic Russians into Georgian society. ECRI trusts that the Georgian authorities will monitor this issue and take action to ensure that any changing perceptions of Russians do not become breeding grounds for discrimination, hate speech and violence against Russians based on their ethnic or national origin.<sup>69</sup>

#### **D. Refugees, beneficiaries of subsidiary protection and asylum seekers**

72. The numbers of refugees and beneficiaries of subsidiary protection in Georgia have remained fairly low, in spite of Russia's war against Ukraine. As of September 2021, Georgia had reported to UNHCR a combined total number of approximately 3 000 recognised refugees, beneficiaries of subsidiary protection and asylum seekers in the country.<sup>70</sup> In the first three months following Russia's invasion of Ukraine in February 2022, only very few Ukrainians applied for international protection in Georgia (see more on this group of persons in section IV below). In addition, of the high number of Russians coming to Georgia during the same period, only 40 persons applied for international protection.
73. ECRI notes positively that refugees and beneficiaries of subsidiary protection, as well as asylum seekers, have full access to the labour market (which foreigners generally have in Georgia), healthcare and education in the country on equal footing with Georgian citizens. The rules for family reunification are the same for refugees and for beneficiaries of subsidiary protection and no housing or income requirements exist. Family reunification can be requested from the moment that refugee or subsidiary protection status is granted.
74. ECRI received information that an unusually high number of asylum requests are rejected due to alleged national security concerns. In such cases, the actual details of the concern and the underlying analysis of the security services are not made available to the applicants or their legal representatives. ECRI learnt about one case in which the application of two foreigners already residing in Georgia as students had been rejected based on this ground and, furthermore, the application made for their five-year old child was also rejected due to security concerns. ECRI strongly encourages the authorities to ensure that no abuse of the "national security" motive occurs in the process of the status determination procedure.<sup>71</sup>
75. The Georgian authorities cooperate with UNHCR on the implementation of the 2021-2030 Migration Strategy and the authorities are currently working on a new "Integration Policy". ECRI trusts that the authorities will finalise the policy without delay and will ensure the full funding for its implementation.
76. According to the information received by ECRI, there are sufficient integration courses (which include, for example, teaching about the history of Georgia) and Georgian language classes available for all refugees, beneficiaries of subsidiary protection and asylum seekers. The authorities note, however, that around 50% of

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<sup>69</sup> In this context, see also: Public Defender of Georgia, "Public Defender's Statement on Russian Ombudsman's Appeal" (23 June, 2019); available at: <https://ombudsman.ge/eng/akhali-ambebi/sakhalkho-damtsvelis-gantskhadeba-rusetis-ombudsmenis-mimartvastan-dakavshirebit>

<sup>70</sup> See UNHCR website for details at: <https://www.unhcr.org/georgia>.

<sup>71</sup> The authorities informed ECRI that in recent years the international protection refusal rate based on national security concerns has already significantly decreased. While in 2018, national security represented the basis of refusal in 32% of rejected applications, in 2019 it was the ground for refusal in 8% of rejected applications, in 2020 this rate was 5.4% and in 2001 it was 4.7%.

participants do not finish the courses. It is clearly important to evaluate the courses and the reasons for such a low completion rate.

77. ECRI recommends that the authorities evaluate the integration and Georgian language courses for refugees, beneficiaries of subsidiary protection and asylum seekers with a view to significantly increasing the completion rate.

#### IV. TOPICS SPECIFIC TO GEORGIA

##### A. Support to Ukrainians fleeing from Russia's aggression against Ukraine

78. In the first three months following Russia's invasion of Ukraine in February 2022, approximately 48 000 persons fleeing the war in Ukraine entered Georgia. Some 35 000 of these left the country shortly afterwards to continue their journey on to central and western European destinations.<sup>72</sup> Of the remaining 13 000 persons, only 300 applied for asylum. Ukrainians can enter Georgia without a visa and are automatically allowed to stay for 364 days in the country without any further permission or application for international protection. Ukrainians, like all foreigners, automatically have access to the labour market. The authorities, by means of decrees, quickly made healthcare and education also available to Ukrainians.<sup>73</sup> Georgian language courses that are normally provided to refugees, beneficiaries of subsidiary protection and asylum seekers are open to Ukrainian nationals without having to apply for international protection but solely by producing their Ukrainian passports or other recognised documentation proving Ukrainian citizenship.
79. In this context, ECRI notes that the various support measures that the authorities took to support persons fleeing from Ukraine are based on them holding Ukrainian citizenship. Although ECRI has not received any information about the arrival in Georgia of foreigners who had resided in Ukraine and fled the war, as has been the case in central and western European countries (e.g. students from Asian or African states), ECRI encourages the Georgian authorities to ensure that such persons could also benefit from relevant support measures irrespective of their citizenship or ethnic or national background.<sup>74</sup>
80. Ukrainians met by the ECRI delegation reported no problems on the Georgian side of the border and felt generally welcome in the country. Nevertheless, there was a lack of official information for Ukrainians arriving and uncertainty about where to receive support.<sup>75</sup> ECRI strongly encourages the Georgian authorities to compile

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<sup>72</sup> According to the authorities, these figures refer to border crossings of Ukrainian citizens (entry/exit) only. Therefore, the 35 000 Ukrainians had not necessarily entered the territory of Georgia since 24 February 2022 – some of them might have been present in Georgia already before.

<sup>73</sup> Access to healthcare is covered by the Government Decree N 387 "On taking measures in relation to military operations on the territory of Ukraine" of 2 March 2022 and subsequent amendments (N602, N761 and N1215).

Regarding education, the Order of the Minister of Education and Science of Georgia No. 98 of 17 March 2022 "On the confirmation of the authenticity of educational documents issued in Georgia and the approval of the rules and fees for the recognition of education received abroad" provides that general educational institution of Georgia can enrol a person who, as a result of the war that started in Ukraine on 24 February 2022, is unable to continue receiving general education in a general educational institution of Ukraine and expresses his/her desire to continue his/her studies in a general educational institution of Georgia, in the corresponding class in which the mentioned person was studying in a Ukrainian general educational institution as of 24 February 2022. No fees will be charged.

In addition, Ukrainian language sectors were temporarily opened in two public schools in Tbilisi and Batumi. Ukrainian pupils have the opportunity there to receive general education in their mother tongue and according to the Ukrainian curriculum. Qualified teachers for all subjects were selected, including local Ukrainian-speaking specialists and those who arrived from Ukraine.

<sup>74</sup> See also [Statement](#) of ECRI on the consequences of the aggression of the Russian Federation against Ukraine, adopted by ECRI at its 88th plenary meeting, 29 March-1 April 2022.

<sup>75</sup> The authorities informed ECRI that information on the possibility to request international protection and available services is provided at the state borders. Particularly, since June 2022, persons arriving from Ukraine have access to information leaflets in a language they can understand. Information leaflets serve to inform people concerned about the procedures for processing applications for international protection in Georgia. It also explains asylum-seekers' rights and obligations and who they will be dealing with during the determination process.

and make available such information to all Ukrainians arriving in the country as well as to those who are already there.

81. Accommodation was initially provided by state institutions, including municipalities, as well as charitable organisations and in some cases wealthy individuals. Several thousand Ukrainians were accommodated in hotels and similar tourist infrastructure, often for free. However, this approach proved not to be sustainable, and municipalities announced that they were unable to cover the costs for prolonged periods of time.<sup>76</sup> A coordinated government approach towards providing adequate housing options, as well as access to social assistance payments and psycho-social counselling for the many Ukrainians who had fled the particularly badly affected areas of eastern Ukraine, was missing. Potential international donors indicated that they would require a coordinated approach and strategic plan from the Georgian authorities in order to assist them financially in their sustained actions to support Ukrainians in Georgia.
82. ECRI recommends that the Georgian authorities develop a strategic plan for the sustained support of Ukrainians in Georgia with a view to adopting a longer-term approach and attracting appropriate international financial aid for its implementation. A particular emphasis should be placed on addressing the needs in the area of housing, social assistance payments and psycho-social counselling.

## **B. Development of a National Human Rights Strategy (2022-2030)**

83. Following on from the first National Strategy for the Protection of Human Rights in Georgia (2014-2020), the authorities engaged in the preparation of a new National Human Rights Strategy for the period 2022-2030. The evaluation report of the first national strategy had emphasised that the strategy and the related action plans were mainly focused on the reform of the legal framework and policies. The evaluation emphasised the importance of implementing the legal framework that has been adopted and that legislative reform in the field of human rights should not be seen as a one-time event.<sup>77</sup> Subsequently, the development of the new national strategy aims at creating suitable conditions for applying relevant legislation more effectively at both central and local levels.<sup>78</sup> According to the 2022 draft document received by the ECRI delegation, the new strategy is supposed to include four priority areas, including the following: “reflecting the constitutional guarantees of equality in the state policy, their implementation in practice and the enjoyment of human rights and freedoms without discrimination”<sup>79</sup> (equality pillar; priority area III).
84. This equality pillar of the draft strategy contains some **promising elements**, such as the objectives of: improving and effectively enforcing the anti-discrimination legislation; considering the needs of ethnic minorities with regard to delivery of state services; promotion of teaching the state language for citizens belonging to ethnic minorities;<sup>80</sup> ensuring the realisation of the right to equality for minority groups, including ethnic and religious minorities; and the improvement of victim-oriented responses to crimes committed on grounds of discrimination/intolerance. Furthermore, two proposed indicators are: the rate of criminal prosecution and sentencing for crimes committed with the motive of intolerance (hate crimes) on the grounds of discrimination; and court decisions and Public Defender’s recommendations<sup>81</sup> issued based on the Law on Elimination of all Forms of

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<sup>76</sup> JAMnews (8.5.2022), Georgian Ombudsman demands state to pay for Ukrainian refugees' accommodation (available at: <https://jam-news.net/georgian-ombudsman-demands-state-to-pay-for-ukrainian-refugees-accommodation/>).

<sup>77</sup> Draft National Strategy for the Protection of Human Rights in Georgia for 2022-2030: 5.

<sup>78</sup> Draft National Strategy for the Protection of Human Rights in Georgia for 2022-2030: 5.

<sup>79</sup> Draft National Strategy for the Protection of Human Rights in Georgia for 2022-2030: 22.

<sup>80</sup> See ECRI's priority recommendation above in § 62.

<sup>81</sup> In this regard see also section I.1, § 2 above on the low implementation rate of the Public Defender's recommendations.

Discrimination.<sup>82</sup> This focus on tackling hate crime and discrimination is positive. However, while ECRI notes that ethnic and religious minorities are explicitly mentioned in this priority area, as well as persons that do not fall within ECRI's mandate (disabled persons), it is of concern that LGBTI persons are not expressly included, in spite of the various problems they face (see sections I.D and II above). It will therefore be important when it comes to the coordination and implementation of the new strategy to set up an inter-agency committee for this equality pillar (priority area III), also in order to ensure that representatives from all relevant groups of concern to ECRI are fully included.

85. ECRI recommends, as a matter of priority, that the authorities form an inter-agency committee to implement the equality pillar of the National Human Rights Strategy 2022-2030 and its accompanying Action Plans. This committee should include representatives of the Public Defender's Office, international organisations and relevant civil society organisations representing groups of concern to ECRI.

### **C. Countering religious discrimination and intolerance**

86. In its last report on Georgia, ECRI highlighted problems concerning discrimination and intolerance against religious minorities.<sup>83</sup> Unfortunately, this remains an area of concern. ECRI noted, for example, in its last report the problems that the Muslim community in Batumi had faced regarding their request for the permission to construct another mosque in the city-centre in order to address the insufficient capacity, especially during Friday prayers.<sup>84</sup> Seven years on this problem has still not been resolved and generates feelings of inequality amongst some Muslim community members.<sup>85</sup>

87. In this connection, ECRI notes with disappointment that its previous priority recommendation<sup>86</sup> with respect to religious discrimination and intolerance (including disputes about religious property and permits for the construction of places of worship<sup>87</sup>) has not been implemented. Although ECRI had recommended that the authorities should in particular task the newly created State Agency for Religious Issues to cooperate with the Council of Religions, which operates under the auspices of the Public Defender's Tolerance Centre, and utilise the Council's expertise and recommendations in order to tackle the problem of religious intolerance, ECRI had not received any information that this has happened when drawing up its interim follow-up conclusions in 2018 or during its 2022 visit to Georgia. Moreover, not only has the State Agency for Religious Issues not engaged in such cooperation, but instead set up an Inter-Religious Council. Hence, ECRI is concerned that the State Agency for Religious Issues created a parallel mechanism under its guidance, a move that many religious minority representatives, civil society organisations and independent observers met by the

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<sup>82</sup> Draft National Strategy for the Protection of Human Rights in Georgia for 2022-2030: 22-23.

<sup>83</sup> See for example ECRI 2016: §§ 49-52 and 93-103. In this connection, ECRI is fully aware of the vital role that the Georgian Orthodox Church (GOC), which constitutes by far the largest religious group with around 83% of the population according to the last census (2014), has played in the country's history and its prominent place in defining the nation's identity. This role has been particularly crucial after the collapse of the Soviet Union, during which religious life was generally severely limited or even persecuted, and the rebirth of the Georgian nation and the formation of its modern state. It is by no means ECRI's intention to discredit or undermine this tradition or the trust that a very high number of Georgians place in the Georgian Orthodox Church and its leadership (the GOC has regularly and over many years been on the top of polling results in which people were asked which institution in the country they trusted most). According to the 2014 census the religious affiliation of Georgia's population is distributed as follows: Georgian Orthodox Church 83.4%; Islam 10.7%; Armenian Apostolic Church 2.9%; Catholic Church 0.5%; Jehovah's Witnesses 0.3%; Yazidis 0.2%; Protestant Christians 0.1%; Jews 0.04%; as well as others and persons who did not wish to declare their religion. In addition, 0.5% indicated that they do not have any religious affiliation.

<sup>84</sup> ECRI 2016: §§ 95-96.

<sup>85</sup> See also: Commissioner for Human Rights of the Council of Europe, Report following her visit to Georgia from 21 to 24 February 2022: § 52.

<sup>86</sup> ECRI 2016: § 103.

<sup>87</sup> ECRI 2016: § 96.



ECRI delegation consider to be an action intended to convey governmental dislike of the Council of Religions and its affiliation with the Public Defender's Office. The very fact that this perception of the agency's intention persists is worrying as it reflects the deep-seated levels of mistrust among several religious minority representatives in the state agency.<sup>88</sup>

88. It should be noted, however, that the problem of religious discrimination and intolerance in Georgia is not limited to the dividing lines between majority religion (the Georgian Orthodox Church) and minority religious groups, or between "traditional" (Georgian Orthodox Christians, Roman Catholic Christians, Jews, Sunni Muslims and Shiite Muslims) and "non-traditional" religious communities, as categorised by the government, but includes the fact that some of those communities and representatives agree to a close relationship with the government, while some do not. Some representatives of the latter group indicated to the ECRI delegation that the dividing line is primarily about whether to accept governmental interference and control<sup>89</sup> of their internal decision-making. The resulting "carrot and stick" approach towards religious groups (which some religious minority representatives also mentioned continued and was even heightened during the Covid-19 measures with regard to exceptions being granted to religious organisations or not – see also section IV.D below) is seen by some interlocutors as being a remnant of a Soviet-style approach as concerns the relationship between the state and religious organisations. Unfortunately, such an attitude was already reflected in the State Agency for Religious Issue's development of a Religious Policy Development Strategy in early 2015,<sup>90</sup> in which it advocated moving away from a focus on the protection of religious minority rights and instead shifting the attention on the "internal and foreign security discourses of the state"<sup>91</sup> when it comes to dealing with the ethnic-religious diversity of the Georgian population.<sup>92</sup> In its last report, ECRI already recommended amending the strategy in order 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.<sup>93</sup> ECRI did not receive any information that the State Agency for Religious Issues has moved away from the above-mentioned conceptual approach of putting security concerns at the centre of their approach towards religious minorities or intends to do so in the near future.
89. ECRI understands the difficult geopolitical situation that Georgia finds itself in and the initial urge to utilise religious identity as a tool for nation-building and state security. However, it strongly warns against such a continued politicisation of religion that, inter alia, carries a high risk of marginalising and alienating members

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<sup>88</sup> See also: Commissioner for Human Rights of the Council of Europe, Report following her visit to Georgia from 21 to 24 February 2022: § 43.

<sup>89</sup> In this regard, ECRI notes with grave concern that in September 2021 files that appear to contain evidence as well as content of covert surveillance and illegal phone tapping were leaked to the internet. The material seems to suggest that the State Security Service illegally listened to telephone conversations of clergy, amongst others. Clergy members belonging to a broad range of religious groups, including the majority Georgian Orthodox Church, as well as their family, friends and contacts were allegedly targets and details of their private life are said to have been systematically collected, potentially exposing them to undue political pressure and interference. The Prosecutor's Office launched an investigation. While ECRI does not intend to pre-empt the outcome of this investigation, it notes that this controversy has already further deepened the existing mistrust between minority religions and the authorities, as can be seen by the joint statement issued by the Public Defender's Tolerance Centre and a range of representatives of minority religious groups of both Christian and Muslim backgrounds. See: Georgia Today (20 September 2021), "Public Defender: Amount of leaked documents shocked me, it is total eavesdropping"; available at: <https://georgiatoday.ge/public-defender-amount-of-leaked-documents-shocked-me-theres-total-eavesdropping/>

<sup>90</sup> In this regard, the authorities informed ECRI that the 2015 Religious Policy Development Strategy document was, in the end, never formally adopted.

<sup>91</sup> State Agency for Religious Issues, Religious Policy Development Strategy of the Georgian State [draft] 2015: 4.

<sup>92</sup> See also ECRI 2016: § 99.

<sup>93</sup> ECRI 2016: § 101.



of less privileged minority religious groups<sup>94</sup> and has the potential of turning into a “self-fulfilling prophecy” of generating discontent, disloyalty and security concerns in the long run. Instead, ECRI considers that the authorities should focus on a rights-based approach towards religious minorities that can foster and promote a broader civic Georgian identity that goes beyond narrow ethnic or religious markers and fully includes members of existing minority groups in the country.

90. ECRI strongly recommends that the authorities i) focus their policies in the area of religion on the principle of non-discrimination and the promotion of religious tolerance from the perspective of inclusion and integration, and ii) ensure dialogue/a mediation process between the Council of Religions under the Public Defender’s Tolerance Centre and the Inter-Religious Council established by the State Agency for Religious Issues, also with a view to enabling meaningful cooperation between the two bodies and to de-politicising religious issues in Georgia as an important step towards increasing respect for religious diversity.

#### **D. Mitigating the impact of the Covid-19 pandemic**

91. The areas of Gardabani and Marneuli (Kvemo Kartli region) were particularly badly affected during the pandemic and for a period of time treated as a health-related “red zone” with confinement and restrictions on inwards and outwards movement. Representatives of various local civil society organisations voiced particular concern about the fact that, while this area was quickly labelled as “dangerous”, information on the Coronavirus and necessary preventive measures was not initially made available in the Azerbaijani language, although it is known to the authorities that a high proportion of local residents are not fluent in Georgian in these areas (see also section III.A and ECRI’s priority recommendation in this regard).
92. Furthermore, in some cases negative stereotypes were circulated among social media and played on old images portraying the Azerbaijani minority as uneducated peasants or shepherds whose alleged ignorance of proper hygiene rules and social distancing would create a major threat to the whole country in the context of the pandemic if not contained by strictly cordoning off the area. Such rhetoric, in combination with the absence of easily available information in the local language obviously creates a potent source of mutual resentment and an obstacle to better integration and inclusion (see also section III). ECRI strongly encourages the Georgian authorities to ensure that in similar situations in the future all necessary health-related information is immediately made available in the local language and that negative ethnic stereotyping in the context of a health or other similar crisis is swiftly condemned and countered by high-level state officials.
93. Representatives of religious minority groups also informed ECRI about unequal and arbitrary rules and decisions concerning religious practices and outreach work during the Covid-19 restrictions. While special exemptions were granted for increasing the number of persons who could attend church services during the Georgian Orthodox holidays, not all the minority religions benefited from such exceptions for their holidays. Discriminatory practices were also reported with regard to special exemptions during periods of confinement for staff and vehicles of religious organisations carrying out charitable work. The unequal treatment hereby did not follow broader religious lines (e.g. Christian groups versus Muslim groups) but could affect Christian minority groups as well as certain Muslim groups, while a variety of groups or individual clergy from different religious minorities also occasionally benefited from exemptions. The spontaneous and unpredictable nature of how such exemptions were granted made the situation particularly prone to reflect a top-down governmental control approach towards religions (see section

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<sup>94</sup> The Georgian Orthodox Church enjoys a privileged position in Georgia, which is enshrined in the country’s Constitution (Art. 8) and specified in the Constitutional Agreement between the Georgian state and the Apostolic Autocephalous Orthodox Church of Georgia of 14 October 2002.

IV.C above). ECRI was informed that in some instances the Georgian Orthodox Church, or more precisely individual members of its clergy, arranged for exemptions to be extended also to some clerics of minority religions. While such inter-religious solidarity is obviously positive, religious minority groups should not depend on this and it is rather up to the authorities to establish clear, coherent and non-discriminatory guidance for the implementation of the necessary anti-Covid-19 measures in the area of religious practice.

## INTERIM FOLLOW-UP RECOMMENDATIONS

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The two specific recommendations for which ECRI requests priority implementation from the authorities of Georgia are the following:

- (§ 62) ECRI recommends that the Georgian authorities significantly increase the number of hours of teaching of Georgian as a second language in minority schools at primary and secondary level.
- (§ 85) ECRI recommends that the authorities form an inter-agency committee to implement the equality pillar of the National Human Rights Strategy 2022-2030 and its accompanying Action Plans. This committee should include representatives of the Public Defender's Office, international organisations and relevant civil society organisations representing groups of concern to ECRI.

A process of interim follow-up for these two recommendations will be conducted by ECRI no later than two years following the publication of this report

## LIST OF RECOMMENDATIONS

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The position of the recommendations in the text of the report is shown in parentheses.

1. (§4) ECRI recommends that the authorities ensure that politicians, in particular members of the government, refrain from comments that undermine the credibility, reputation and independence of the Public Defender institution.
2. (§11) ECRI recommends that the Georgian authorities collect data on how schools fulfil the obligation to organise awareness-raising campaigns for pupils on the topics of discrimination, bullying and cyber-bullying. ECRI also recommends that the authorities evaluate and scale up their professional development activities for teachers in the area of inclusive education, teaching in multicultural environments, respect for diversity and non-discrimination.
3. (§23) ECRI recommends that the authorities carry out a review of existing legislation in order to assess where same-sex couples, as a result of the absence of recognised same-sex partnerships, face problems in their day-to-day life with a view to addressing the identified problems in line with the Recommendation CM/Rec(2010)5 of the Council of Europe's Committee of Ministers on measures to combat discrimination on grounds of sexual orientation or gender identity and the case-law of the European Court of Human Rights.
4. (§26) ECRI reiterates its recommendation that the authorities clearly regulate the conditions for official recognition of a person's new sex. Such rules should be in conformity with the case-law of the European Court of Human Rights.
5. (§29) ECRI recommends once more that the Criminal Code of Georgia be amended in order to prohibit racist insults and the public dissemination or distribution with a racist aim of material containing racist statements. In this context, due consideration should be given to ECRI's General Policy Recommendation No.15 on combating hate speech and the Committee of Ministers' Recommendation CM/Rec(2022)16 on combating hate speech, including LGBTI-phobic hatred. If necessary, Council of Europe support should be sought.
6. (§32) ECRI reiterates its recommendation that the Georgian authorities establish an effective monitoring system for racist and anti-LGBTI hate speech, building on the expertise of the Public Defender and relevant NGOs, including from the LGBTI communities. If necessary, Council of Europe support should be sought.
7. (§49) ECRI recommends that the authorities (i) build on their existing efforts to ensure the availability of accurate data for all hate crime cases, including those in which aggravating circumstances were applied, and (ii) set up a specialist unit within the police to deal specifically with racist and LGBTI-phobic hate crime, seeking expert advice from the Public Defender, relevant NGOs and international organisations.
8. (§54) ECRI reiterates its recommendation that the authorities conduct an impact assessment to evaluate the training activities for all law enforcement officials, prosecutors and judges dealing with hate crime cases and, if necessary, adjust them.
9. (§56) ECRI recommends that the authorities set up a formalised channel for ethnic minorities to provide inputs to the Office of the State Minister of Georgia for Reconciliation and Civic Equality for designing the annual Action Plans that will implement the State Strategy for Civic Equality and Integration 2021-2030.
10. (§62) ECRI recommends, as a matter of priority, that the Georgian authorities significantly increase the number of hours of teaching of Georgian as a second language in minority schools at primary and secondary level.

11. (§68) ECRI recommends that the authorities ensure that i) an increasing rate of Roma children completes secondary education and ii) particular attention is paid to the situation of Roma, in particular those with limited or no formal education, in the implementation of the 2023-2027 Strategy on vocational education and training.
12. (§77) ECRI recommends that the authorities evaluate the integration and Georgian language courses for refugees, beneficiaries of subsidiary protection and asylum seekers with a view to significantly increasing the completion rate.
13. (§82) ECRI recommends that the Georgian authorities develop a strategic plan for the sustained support of Ukrainians in Georgia with a view to adopting a longer-term approach and attracting appropriate international financial aid for its implementation. A particular emphasis should be placed on addressing the needs in the area of housing, social assistance payments and psycho-social counselling.
14. (§85) ECRI recommends, as a matter of priority, that the authorities form an inter-agency committee to implement the equality pillar of the National Human Rights Strategy 2022-2030 and its accompanying Action Plans. This committee should include representatives of the Public Defender's Office, international organisations and relevant civil society organisations representing groups of concern to ECRI.
15. (§90) ECRI strongly recommends that the authorities i) focus their policies in the area of religion on the principle of non-discrimination and the promotion of religious tolerance from the perspective of inclusion and integration, and ii) ensure dialogue/a mediation process between the Council of Religions under the Public Defender's Tolerance Centre and the Inter-Religious Council established by the State Agency for Religious Issues, also with a view to enabling meaningful cooperation between the two bodies and to de-politicising religious issues in Georgia as an important step towards increasing respect for religious diversity.

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## APPENDIX: GOVERNMENT'S VIEWPOINT

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**The following appendix does not form part of ECRI's analysis and proposals concerning the situation in Georgia.**

ECRI, in accordance with its country-by-country procedure, engaged into confidential dialogue with the authorities of Georgia on a first draft of the report. A number of the authorities' comments were taken on board and integrated into the report's final version (which, in line with ECRI's standard practice and unless otherwise indicated, could only take into account developments up until 8 December 2022, date of the examination of the first draft).

The authorities also requested that the following viewpoint be reproduced as an appendix to the report.

## Viewpoints of the Government of Georgia on the ECRI report adopted within the frames of the sixth monitoring cycle

### Summary. Page 4:

Moreover, there has still been no specialist unit set up within the police to deal specifically with racist and LGBTI-phobic hate crime incidents.

### Comment of the Ministry of Internal Affairs:

It is important to take into consideration that in order to specifically deal with racist and LGBTI-phobic incidents, specialization of MIA investigators on hate crimes is planned and remains on top of Ministry's agenda.

...Problems in this regard have also been noticed in the context of measures taken against Covid-19, when information was, at the very beginning, not always made available promptly in minority languages even in areas densely populated by ethnic minorities.

### Comment of the Office of the State Minister for Reconciliation and Civic Equality:

Since the outbreak of the COVID-19 pandemic in Georgia, pro-active measures have been taken to ensure protection and support of ethnic minority representatives, including through timely access to information and awareness-raising on coronavirus-related issues, including hygienic measures and regulations, lockdown measures/regulations, since March 3, 2020 the following have been implemented:

- Government information web-portal [www.StopCov.ge](http://www.StopCov.ge) in seven languages;
- Dissemination of printed, digital and audio-visual materials on the Coronavirus in minority languages;
- Dissemination of information materials through online and social media outlets in minority languages;
- TV broadcasting of video clips, briefings, statements in minority languages;
- Displaying posters and other visual materials in public space - streets, shops, pharmacies;
- Delivery of SMS text-messages on crucial issues in minority languages;
- Online consultancy (hot-line 144-1) in Armenian and Azerbaijani languages.

In addition, in order to mitigate negative social-economic effects of the COVID-19 pandemic, food and hygienic items have been delivered to socially vulnerable ethnic minority families.

The Office of the State Minister, in cooperation with UNICEF, has delivered up to 605 parcels with food and hygienic items to socially vulnerable ethnic minority families in quarantine zones of Marneuli and Bolnisi, as well as villages bordering quarantine zones, such as Tetrtskaro and other municipalities; access to subsistence items was also ensured for socially vulnerable multiple children families and Roma community.

Roma families have also been provided with audio information in their native languages about hygienic measures and regulations, lockdown regulations.

During the next waves of the COVID-19 pandemic (second half of 2020- 2021), a 3-component large-scale information-awareness-raising campaign was run which implied:

- Door-to-door delivery of up to 100,000 bilingual (Georgian-Armenian, Georgian-Azerbaijani) leaflets on the latest regulations, Coronavirus management and anti-crisis plan, COVID-19 vaccination;

- Online training sessions for ethnic minority youth on the COVID-19 related issues by bilingual volunteers. Bilingual young people who got special training on the above topic have already conducted 7 online meetings in 36 villages of 5 municipalities;
- Online consultancy (Government hotline 144-1) in Armenian and Azerbaijani languages;
- Door-to door information/ awareness raising meetings on COVID-19 vaccination in the villages of the municipalities densely populated by ethnic minorities with engagement of renowned immunologists and allergists.

The Office of the State Minister, with the UNICEF support, has delivered 729 parcels with food and hygienic items to orphans and children with disabilities.

In total: in 2020-2021 up to one million information printed materials on hygienic measures and regulations, lockdown measures/regulations, Coronavirus management and anti-crisis plan, COVID-19 vaccination issues were prepared in minority languages and delivered in the regions densely populated by ethnic minorities.

Further support of ethnic minority representatives will be continued as required.

For more detailed information, see attached *Annex*.

**§ 6. Discrimination of any kind is strictly prohibited in Georgian schools. At primary school level, the curriculum includes human rights and equality education components which are integrated into the subjects “Me and Society” and “Our Georgia”. At secondary level, they are integrated into the courses “Citizenship” and “Civic Education”.**

**Comments of the Ministry of Education and Science:**

It should be noted, that in December 2021, the new Curriculum for upper secondary stage was approved and the subject “Citizenship” will be taught in all grades: X, XI, XII. From 2022-2023 academic year its implementation began in the X grade, in 2023-2024 - it will be introduced in the XI grade, and in the 2024-2025 school year - in the XII grade.

Additionally, it should be mentioned, that the Revised National Curriculum focuses on competence development in students and applies project-based learning approaches. To this end, since 2022-2023 academic year, preparation of projects in the direction of civic education has become mandatory. An individual student or a group of students have to implement one project per semester (totally 5 projects on upper secondary stage). Topic of the project can be any, among them – human rights protection, discrimination, violence etc.

Human rights is a crosscutting issue in all subjects envisaged by the National Curriculum and is taught under all priority topics: protection of cultural heritage, protection of the environment, healthy life; civil security; conflict management; financial literacy; cultural diversity.

**... In this context, it should be noted though that Georgia faces a shortage of qualified teachers, including due to low salaries, which often results in school administrations not being able to give the necessary attention to human rights education.**

The wording of the mentioned paragraph does not fully reflect the reality, as the issue of teacher's remuneration is not directly connected to the issue of sufficient attention to human rights education and does not refer specifically to civic education teachers. It should also be noted that very large resources of the US Government's Civil Development Assistance Project

and other donors have been spent on the civic education segment, as a result of which the teachers of the subject are distinguished by modern teaching approaches and competencies.

Since 2018, National Center for Teacher Professional Development under the Ministry of Education and Science of Georgia (MoES) has been implementing the Democratic Culture and Human Rights Education Programme, which is developed based on the Council of Europe's Reference Framework of Competences for Democratic Culture (RFCDC).

The given programme aims to promote introduction of democratic culture competences in schools through professional development of teachers, to provide educational process oriented on human rights education, prevention of discrimination and development of safe and tolerant learning environment, to equip teachers and the school community with appropriate knowledge, skills and resources. Within the framework of the program, the cooperation with various organizations at the local or international level and the Council of Europe and the European Union is in progress.

One of the strategic objective of the Ministry is to support development of democratic governance models in public schools of Georgia. To this end, the CoE-supported Project "Democracy Starts in Schools – Engaging School Children in Decision Making Processes in Schools and Communities in Georgia" has been implementing in 30 pilot schools across Georgia, including those situated in the regions densely populated with ethnic minorities. The project aims to strengthen democracy in Georgia through increased participation of young people in the decision-making processes at the local level through democratic citizenship education and practices in schools. The project is based on the Council of Europe approach to civic education: a holistic view on knowledge, skills, values and attitudes, a focus on democratic school development and an integration of young people's civic experiences in the wider community.

**§ 14. According to the Public Defender's Office, the level of overall integration of human rights related aspects are relatively low with regard to vocational education. Nevertheless, according to information provided by the authorities, all vocational education programmes include the subject "civic education". At the basic vocational education level, civic education is presented as a separate compulsory module, while at the secondary and higher vocational education levels, civic education is integrated into the curricula in accordance with specific themes.**

**Comment of the Ministry of Education and Science:**

The civic education module is integrated into the curricula of all levels of vocational education (basic, secondary, and higher). It has to be noted that European Council Recommendation on key competences for life-long learning is integrated and harmonized in the framework documents developed by the Ministry of Education and Science of Georgia. Active citizenship and cultural awareness are among the key competences in the Recommendation. In compliance with the EU-Georgia Association Agreement, the framework documents of the vocational education program framework documents include modules developing all eight key competences or they are integrated in sectoral vocational modules. From 2019, VET institutions have fully switched to modular teaching, the mandatory component of which are the key competencies. Accordingly, all programs introduced in the VET system include key competencies since 2019.



**§ 17. There is no official government policy for this group beyond the Migration Strategy 2021-2030 part on “combating irregular migration” (chapter III).**

**Comment of the Ministry of Internal Affairs:**

Georgia does have governmental policy regarding combatting irregular migration in the country, which is regulated under the Law of Georgia on the Legal Status of Aliens and Stateless Persons, and relevant by-laws, as well as under Migration Strategy of Georgia for 2021-2030 (Chapter III – Combatting Irregular Migration), and subsequent annual Action Plans of the given strategy.

Ministry of Internal Affairs of Georgia represents the main institution responsible for combatting irregular migration in the country. Within the scope of its competence, the Ministry, inter alia, conducts expulsion procedure, as well as, placement of irregularly present migrants at the Temporary Accommodation Centre (TAC), based on reasonable ground. TAC is functioning in full compliance with international standards, the rights of the placed migrants are protected, including, their access to healthcare and education.

As for example, in 2018-2022, there has been detained 315 migrants, 488 persons have been expelled, and in case of 43 persons, there have been rendered negative decision on expulsion.

Furthermore, the competences of the institute of community officers, which has been launched since 2018, include fight against illegal migration, its prevention, detection and suppression, the arrest of foreigners who are in Georgia without a legal basis and bringing them to their destination (temporary accommodation center/temporary placement isolator), as well as cooperation with other police units in order to respond to the violations of the rules established for the registration of foreigners living in Georgia.

**§ 21. In its previous report, ECRI recommended that the authorities take steps to combat intolerance and discrimination against LGBT persons in close cooperation with the LGBT community and the Public Defender.<sup>1</sup> Unfortunately, ECRI has not received any information that this recommendation has been implemented and it strongly encourages the authorities to do so without further delay.**

**Comment of the Ministry of Internal Affairs:**

Internal and external control mechanisms were set up by the Human Rights Protection and Investigation Quality Monitoring Department for monitoring purposes.

External control mechanism involves receiving information on specific cases from NGOs both in writing and orally. Also, an e-mail - [adamianisuflebebi@mia.gov.ge](mailto:adamianisuflebebi@mia.gov.ge) has been created, with NGOs sending out reports about cases that they think are problematic. It should be highlighted, that the information is also received from various government agencies, including the Public Defender's Office, Resource Officers Service, the Social Services Agency, etc.

The above-mentioned mechanism remains an effective way to ensure close and effective communication between department and external actors.

The employees of the Ministry of Internal Affairs are actively involved in activities planned by other agencies, international and local non-governmental organizations, the purpose of which is to raise awareness of the importance of diversity and equality, as well as to inform victims of discrimination about available legal mechanisms. Representatives of the Ministry

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<sup>1</sup> ECRI 2016: § 108.

are actively involved in such social campaigns as "I choose equality", "Equality Week", "Equality Ambassadors" and others.

**§ 30. In its last report, ECRI noted that there was no official data concerning racist and anti-LGBTI hate speech in Georgia. ECRI recommended that the authorities establish an effective monitoring system for such hate speech, building on the expertise of the Public Defender and relevant NGOs.<sup>2</sup> This has not happened.**

#### **Comment of the Parliament:**

In the draft report, ECRI urges the Government to create an effective monitoring system, that ensures monitoring of racist and anti-LGBTI hate speech. Notably, the description of hate speech, provided by ECRI draft document is perceived in the way that hate speech beyond the criminal legislation is not covered by the competence of any state agency and therefore, left without legal assessment/monitoring. However, Georgian legislation and practice provide a basis for monitoring and evaluating of hate speech cases. Specifically, incidents of hate speech is included in the mandate of the Public Defender, which represents the national mechanism of fight against discrimination. To be more precise, according to the Law of Georgia on Elimination of all Forms of Discrimination (Article 6, par. 2, subpar. c), the Public Defender shall prepare and forward general proposals to relevant institutions or persons on the issue of preventing and combating discrimination. According to the practice established by the Public Defender, the latter issues general proposals in cases, when an *encouragement of discrimination or negative stereotypes and stigma takes place*.<sup>3</sup>

At the same time, based on Article 3 of the Law on Elimination of all Forms of Discrimination, the same practice applies to public institutions, organizations and to the actions of individuals and legal entities in all spheres. The Public Defender has issued numerous proposals using the same standard with regard to hate speech, including homophobic speech by private individuals<sup>4</sup> and statements of public authorities.<sup>5</sup> Pursuant to Article 24 of the Organic Law on the Public Defender of Georgia, state and local self-government authorities, public institutions and officials that receive recommendations or proposals of the Public Defender are obligated to examine them and report in writing on the results of the examination to the Public Defender of Georgia within 20 days.

According to the 2022 amendments to the Law of Georgia on Broadcasting, the broadcasting of programs and advertisements containing hate speech was prohibited. The Communication Commission is authorized to sanction the perpetrators for violation of hate speech legislation in broadcasting and electronic communications field.

Simultaneously, state institutions have established special internal mechanisms, aimed at reacting to hate speech by their officials. For instance, according to the code of ethics of the Parliament, dignity insulting, rude, sexist, discriminatory speeches, appeals and actions, as well as any other use of hate speech are inadmissible for the Member of Parliament. The Ethics Council established in the Parliament monitors such violations.

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<sup>2</sup> ECRI 2016: §§ 23-24.

<sup>3</sup> General proposal on discrimination against women, available in Georgian (page 2) - <https://www.ombudsman.ge/res/docs/2020072909462162001.pdf>

<sup>4</sup> General proposal to avoid discrimination and on the issue of fighting against it, available in Georgian - <https://www.ombudsman.ge/res/docs/2019040915283473364.pdf>

<sup>5</sup> General proposal to avoid discrimination and on the issue of fighting against it, available in Georgian - <https://www.ombudsman.ge/res/docs/2019082016270645665.pdf>

The Public Defender and special internal mechanisms, within their competencies, separately ensure the monitoring of cases of hate speech and the collection of relevant data. As of today, a unified monitoring system and a unified database of hate speech cases are not in place.

**§ 37. It should be noted that the reported total number of hate crime incidents also includes those based on gender or disability, which do not fall under ECRI's mandate. This is to be kept in mind when considering that the total number of hate crime incidents recorded by the Georgian police rose dramatically to 344 in 2018, 775 in 2019 and 989 in 2020, as this was due to extremely strong increases in the number of hate crimes related to gender. Nevertheless, a very strong and sustained increase is also noticeable with regard to anti-LGBTI incidents. These had risen further to 85 in 2018, and to 133 in both 2019 and 2020. While, according to the OSCE/ODIHR data, there were no incidents based on religious hatred recorded in 2018,<sup>6</sup> the number rose to 47 in 2019 but diminished again by more than half to 22 in 2020. The number of racist and xenophobic cases rose sharply from 10 in 2018 to 77 in 2019 but then fell again to 49 in 2020.**

**Comment of the Ministry of Internal Affairs:**

It should be taken into the consideration that the raise in numbers is caused by the implementation of several effective mechanisms (such as coordinated work between relevant agencies, establishment of the Human Rights Protection and Investigation Quality Monitoring Department, recommendation developed by the department, trainings of respective employees, and publishing of the unified statistical data). Consequently, the number of revealing intolerance motive in criminal cases has significantly raised. That obviously does not mean that the number of incidents has itself increased.

**§ 44. In July 2021, large-scale counter demonstrations in Tbilisi against the “March of dignity” organised by the LGBTI-Pride coordinators descended into violence against participants, organisers, sympathisers and journalists. The march had to be cancelled and the headquarters of the organisers was attacked. LGBTI activists and human rights defenders were threatened and attacked. The organisers complained that the number of police officers mobilised at relevant locations to ensure security was insufficient. Journalists that fell victim to attacks have also pointed out inaction on the part of the police. At least one cameraman had to be hospitalised.<sup>7</sup> The events of 5 July 2021 created shockwaves and instilled fear among many members of the LGBTI communities in Georgia and their supporters. The inaction of the limited police forces that were present also caused considerable mistrust among many LGBTI activists in the law enforcement authorities and their willingness to protect Pride events in the future.<sup>8</sup>**

**Comment of the Ministry of Internal Affairs:**

There are several aspects in relation to Pride Week in Tbilisi that need to be emphasized:

From the very announcement of the intention to hold the Pride Week in Tbilisi, high-level representatives of the Ministry of Internal Affairs of Georgia actively participated in working meetings with representatives of the Tbilisi Pride, local and international organizations, the

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<sup>6</sup> However, ECRI was informed by the authorities in early 2023 that they have information about 20 incidents based on religious hatred in 2018.

<sup>7</sup> The cameraman in question was found dead six days later. However, an official investigation concluded that the cause of his death was not related to the injuries he had sustained.

<sup>8</sup> According to the official information provided to ECRI, 31 people were charged with having committed crimes with a bias motivation on the grounds of sexual orientation or gender identity.

Public Defender's Office and the diplomatic corps (the meetings have been conducted since June 8, 2021). Civil movement Shame, affiliated with the opposition, also actively participated in meetings, the aim of which was to hold Tbilisi Pride Week events in a safe environment. As a result of the effective cooperation, MIA succeeded to ensure safety and security of the participants during the events of the 1st and 3rd July, which was positively assessed by the Tbilisi Pride organizers, as well as by different local and international organizations.

Concerning 5th July event, Ministry repeatedly explained to the organizers that, considering the pre-announced rally of the opposing group, as well as past experiences and analysis of the existing circumstances, it would be highly risky and precarious to perform the final event, March of Dignity in the format of pacing on the Rustaveli Avenue in terms of protecting the safety of the participants. To ensure more protection, the organizers of the Week were offered to consider alternative location and arrangement for performing the march; however, they were persistent in not considering changing the format of the event. It should be highlighted that the organizers of the March did not inform the MIA regarding the exact time and place of the 5 July March. Against this backdrop, the MIA called for the main police force in advance in order to allocate them accordingly, considering the needs.

Throughout the Pride Week, up to the 5th of July and on the day after, police did its best to separate different mass gatherings, including the Pride Week participants and counter-demonstrators from each other, and protect the right of the Pride participants to exercise their rights to assembly and free speech.

In total, investigation has been launched on 12 criminal cases. Subsequently, 31 people have been arrested - 28 individuals for violence against journalists and 3 individuals for assault on the Tbilisi Pride office.

Police have conducted more than 1000 investigative and procedural actions (search of residential and work offices, seizure and examination of mobile phones, PCs, electronic devices, video recordings, etc.). Up to 300 people were interviewed.

A total of 60 individuals have been recognized as victims, of which 48 are journalists and 11 are other citizens, including civil activists and a legal entity (organization).

**...ECRI strongly encourages the Georgian authorities to ensure that the events surrounding the violence against the “March of dignity” on 5 July 2021 are effectively investigated, perpetrators of acts of violence are all held to account and such outbursts of violence and intimidation do not occur in the future, including through a review of police operations during such events.<sup>9</sup>**

#### **Comment of the Ministry of Internal Affairs:**

In 2022, the Pride Week was held peacefully and no incident took place during the event. One month prior to the event, the Ministry of Internal Affairs commenced preparatory work, inter alia, through holding working meetings with the organizers of Tbilisi Pride, Public Defender's Office, and civil society organizations.

On June 6, 2022, the Ministry received the notifications from the organization "Tbilisi Pride" and the Democratic Research Institute, requesting to investigate allegedly threatening statements made by the leaders of Tbilisi Pride opposition group, in order to prevent the disruption of the “Pride Week” from June 28 to July 2, 2022. Based on these notifications,

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<sup>9</sup>In this context, see also the judgement of the European Court of Human Rights in the case of Identoba and others v. Georgia.

Ministry commenced the investigation on the facts of the public incitement to acts of violence and the facts of threatening, crimes envisaged under the section 1 of the article 239 Prima, and section 1 of article 151 of the Criminal Code of Georgia.

In order to protect public order, as well as the freedom of assembly and expression, employees of the Ministry were mobilized and protected public safety at all venues of gathering planned within the frames of Pride week, as well as within the scope of protest rallies.

On July 1, the opponents of Tbilisi Pride gathered and paralyzed the access routes leading to the festival site, artificially obstructing traffic. The law enforcement officers called on rally participants on the site to clear the roadway. The police also instructed them to continue the protest in a place where they would not interfere and violate the rights of other citizens. Late at night, despite the warning of the Ministry, participants of the gathering did not obey the legal request of the police and offered resistance to the police officers. Therefore, the police applied proportional force in accordance with the law and arrested 26 people based on Article 173 (Non-compliance with a lawful order or demand of a law-enforcement officer, military service person, officer of the Special State) and article 166 (Disorderly conduct) of the Code of Georgia of Administrative Offenses.

As a result of constructive cooperation and dedicated work, Pride Week was held in a peaceful manner.

**§ 49. ECRI recommends that the authorities (i) build on their existing efforts to ensure the availability of accurate data for all hate crime cases, including those in which aggravating circumstances were applied, and (ii) set up a specialist unit within the police to deal specifically with racist and LGBTI-phobic hate crime, seeking expert advice from the Public Defender, relevant NGOs and international organisations.**

**Comment of the Ministry of Internal Affairs:**

The Ministry of Internal Affairs in cooperation with the Council of Europe plans to specialize investigators on the investigation of the crimes committed on the grounds of discrimination. The work on the elaboration of training module has already started and after completion of specialization process, specialized investigators will be prioritized to investigate the crimes of the mentioned category.

**§ 52. Several Training-of-Trainers (ToTs) sessions were also held in 2020 and 2021, based on materials developed by the OSCE/ODIHR and the Council of Europe on combating hate crime (including on the grounds of religious intolerance), the needs of the LGBTI community and services provided by NGOs. Psychologists and local NGO representatives were involved. Activities were carried out in Tbilisi and Batumi and resulted in the training of 274 MIA employees.**

**Comment of the Ministry of Internal Affairs:**

It is important for the Ministry of Internal Affairs to conduct an investigation tailored to the interests of the victim. For this purpose, the Witness and Victim Coordinator Service was established in the Ministry in 2019, and the Human Rights Protection and Investigation Quality Monitoring Department is responsible for coordinating its activities. The main purpose of the service is to facilitate the participation of witnesses and victims in the investigation process, to reduce the stress caused by crime, to prevent re-and secondary victimization, and to provide them with necessary information and services during the investigation phase.

In 2021, a legislative amendment came into force in the Criminal Procedure Code of Georgia and the Juvenile Justice Code of Georgia, according to which the investigator of the Ministry

of Internal Affairs was authorized to include the coordinator in the criminal case by his own decision before going to court.

§ 55. Georgia has a long tradition of being a multi-ethnic and multi-lingual country. In this context, ECRI also refers to the work of the Council of Europe's Advisory Committee on the Framework Convention for the Protection of National Minorities (ACFC). The work of the two bodies is based on complementarity: the ACFC covers issues related to the expression of a separate identity, such as mother-tongue education, while ECRI looks at the situation from an integration and inclusion perspective. According to the results of the 2014 General Population Census, ethnic Georgians make up about 87% of the country's population. The two largest ethnic minorities, Azerbaijanis and Armenians, are 6.3% and 4.5% respectively and live compactly in the regions of Kvemo Kartli and Samtskhe-Javakheti. The Office of the State Minister of Georgia for Reconciliation and Civic Equality coordinates the development and implementation of the state policy for civic equality and integration of ethnic minorities. The long-term objectives of this policy have been consolidated in the State Strategy for Civic Equality and Integration 2021-2030.<sup>10</sup> This strategy defines several priority areas, including the use of the state language (Georgian) to support integration and access to quality education.<sup>11</sup> The document has been praised by civil society organisations for accurately reflecting the main challenges for the effective integration of ethnic minorities. At the same time, it has been criticised for failing to identify the root causes of areas of concern and for often being non-specific, thus replicating the shortcomings of the previous strategy.<sup>12</sup> ECRI considers it necessary that these shortcomings are remedied in the future annual Action Plans of the State Strategy 2021-2030, but notes in this context that there is no institutional mechanism for ethnic minorities to provide inputs for concrete measures to the authorities as part of the strategy's implementation process.

**Comments of the Office of the State Minister for Reconciliation and Civic Equality:**

With respect to the following: *“Georgia has a long tradition of being a multi-ethnic and multi-lingual country”* the SMRCE suggests to change the term “multi-lingual” into “multi-cultural” as it has broader context (multi-lingual is just one of its components) that fully reflects ethnic and cultural diversity of the country.

With regard to the following: *“...it has been criticized for failing to identify the root causes of areas of concern and for often being non-specific, thus replicating the shortcomings of the previous strategy”* the SMRCE clarifies that:

The expertise of the mentioned Strategy was provided by the OSCE High Commissioner on National Minorities proving that the policy document corresponds to high international principles and standards. The Strategy is based on the needs of the ethnic minority population and the results revealed in the process of the assessment of policy implementation in previous years; considers the best practices, progress achieved, as well as the remaining challenges. The Strategy document includes specific measures (mechanisms and instruments) for achieving the goals and objectives identified. The Action Plan envisages implementation of concrete programs and activities directed toward tangible results in various directions of civic equality and integration. See, the Strategy and the Action Plan documents at

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<sup>10</sup> Government of Georgia, 2021, State Strategy for Civic Equality and Integration 2021-2030.

<sup>11</sup> There has been a long tradition of supporting mother-tongue education among ethnic minorities, which, however, unfortunately also resulted in an insufficient priority for learning Georgian as the common language of the country.

<sup>12</sup> Social Justice Centre, Critical analysis of the State Strategy for Civic Equality and Integration, 2021: 2-3 and 12-13.



<https://smr.gov.ge/en/page/31/samoqalaqo-tanasworobisa-da-integraciissaxelmwifo-strategia-da-samoqmedo-gegma>.

In response to the following recommendation: *“ECRI considers it necessary that these shortcomings are remedied in the future annual Action Plans of the State Strategy 2021-2030...”*, the SMRCE clarifies that:

For the effective implementation of the Strategy, a Government Commission has been established to ensure the coordination among all relevant state agencies. The Commission meets twice a year on a regular basis, as well as organizes working sessions, meetings, and consultations as required and convenes meetings of thematic working groups to gather the representatives of state agencies, as well as civil society and all interested actors.

The major tool for the implementation of the Strategy is the Annual Action Plans, elaborated in close coordination with the line ministries and considered with active engagement of civil society actors. The Strategy is implemented within the state budget, as well as financial support from donor organizations and partner countries. Effective implementation of the Strategy and Action Plan is also ensured through its monitoring and assessment process which implies the introduction of the impact and outcome indicators for each strategic goal and objective based on verifiable sources. The data obtained through monitoring is processed and analysed in respect of the implemented activities and the outcome indicators. The monitoring process implies consideration of the information submitted by the state agencies, as well as findings and subsequent recommendations prepared by the Council of National Minorities and other civil society actors on the implementation of the Strategy/Action Plan. The process is coordinated by the State Minister’s Office.

The Strategy Assessment is conducted considering the outcome and impact indicators. Since the Strategy covers a 10-year period, two interim assessments will take place in 2024 and 2027, while the final assessment is planned for the end of its implementation period – in 2030; it aims to measure the achieved results, ensure accountability and create a ground for the Strategy development for next years. The assessments will be carried out by external independent experts and expert/research organizations, as well as local NGOs and international organizations with the active participation of ethnic minority representatives.

In response to the following: *“...there is no institutional mechanism for ethnic minorities to provide inputs for concrete measures to the authorities as part of the strategy’s implementation process”*, the SMRCE underlines that:

The Office of the State Minister for Reconciliation and Civic Equality coordinates the process of elaboration and implementation of the civic equality and integration policy. It serves as a platform of communication/consultancy between various actors (state institutions, local authorities, nongovernmental and international organizations, experts, academia, ethnic minority representatives. The process of development and implementation of the state policy is open and inclusive implying wide engagement of a large number of civil society organizations with various perspectives and diverse ideas; also experts, Council of National Minorities under the Public Defender’s Office, representatives of ethnic minorities, international partners, actively participating in civic equality and integration processes.

**§ 56. ECRI recommends that the authorities set up a formalised channel for ethnic minorities to provide inputs to the Office of the State Minister of Georgia for Reconciliation and Civic Equality for designing the annual Action Plans that will implement the State Strategy for Civic Equality and Integration 2021-2030.**

**Comment of the Office of the State Minister for Reconciliation and Civic Equality:**

It is important to clarify, that the Office of the State Minister ensures direct communication with a large number of civil society organizations, Council of National Minorities under the Public Defender’s Office, experts, representatives of ethnic minorities, international partners.

The process of development and implementation of civic equality and integration strategy and action plans is very open and inclusive, implying the active involvement of civil society actors, experts, representatives of ethnic minorities, academic circles, international organizations, as well as the Council of National Minorities under the Office of Public Defender (which is the largest platform of local institutions (up to 100 actors) representing ethnic minorities) through exchange of views, discussions, consideration of recommendations and annual reports, designing action plans; in the process of the policy document (the Strategy and the respective Action Plan for 2023-2024) preparation, in total, up to 95 meetings/consultations were held, attended by over 4200 actors.

**§ 57. ECRI has repeatedly heard from its civil society interlocutors that the efforts for the effective integration of members of ethnic minorities are unfortunately often accompanied by a national security perspective (see also § 88), alongside a lack of trust in certain minorities<sup>13</sup> and the perception of persons belonging to ethnic minorities as “guests” from neighbouring countries rather than Georgian citizens.<sup>14</sup>**

**Comment of the Office of the State Minister for Reconciliation and Civic Equality:**

Human rights, equality, anti-discrimination and dignity are core values of civic equality and integration state policy. The State Strategy for Civic Equality and Integration and the respective Action Plan (which is one of the key mechanisms of this policy) well and clearly demonstrates that ethnic minority issues are considered through human rights, equality approach; it aims at supporting ethnic minorities, improving their participation in all spheres of public life, promoting cultural diversity and further strengthening of inter-cultural dialogue. It is focused on creating equal opportunities for all citizens, regardless of ethnic origin or cultural identity, also through specifically tailored and state-funded unique mechanisms, such as:

- offering different special programs for state language comprehensive learning;
- ensuring facilitated access to vocational and higher education (positive discrimination mechanism);
- offering internship opportunities in the public sector;
- providing quality education in mother tongues;
- teaching smaller minority groups' languages in schools;
- ensuring access to information and media products in native languages;
- launching large-scale information and awareness-raising campaigns in minority languages on state programs and services;
- supporting the culture of ethnic minorities.

**§ 59. Despite these efforts and the slight progress they have produced, the knowledge and effective use of the Georgian language overall remains an acute challenge in the regions densely populated by ethnic minorities. According to the 2014 census, 44.5% of the ethnic Armenians and 73.9% of the ethnic Azerbaijani citizens had poor competence in the state**

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<sup>13</sup> ACFC 2019: 2.

<sup>14</sup> In March 2021, the discussion concerning the establishment of a Scientific-Advisory Council for National Minorities - an otherwise welcome consultation mechanism - was met with criticism due to its suggested placement under the Parliamentary Committee on Diaspora and Caucasus Issues, thus reinforcing the discourse of seeing ethnic minorities from a perspective of regional politics and linking them with other states. It was unclear why this Council could not have been placed under the Parliamentary Committee on Human Rights and Civil Integration, whose direct task is to promote policy development and monitoring of civic integration (see: Social Justice Centre, Public Organizations condemn the Parliament's decision to consider ethnic minorities as diaspora, (17 March 2021)). The authorities informed ECRI that, in the end, this scientific advisory council was not established.

language. This does not only create problems in their daily communications, but also reduces their ability to access services as well as education and employment opportunities.

**Comment of the Office of the State Minister for Reconciliation and Civic Equality:**

The most important overarching priority for further strengthening and integrating multi-ethnic/ multi-cultural society is to improve the State language proficiency in the regions densely populated by ethnic minorities. To this end, efficient mechanisms have been developed to improve the quality and further extend its use in public space.

As a result of implementation of complex activities within the State Strategy for Civic Equality and Integration 2021-2030, the State language competence both in all levels formal education, as well as adults' and informal education was improved primarily through advancing educational environment and infrastructure, developed curricula and methodology, enhancement of bilingual pilot program in up to 15 pre-school educational institutions and 41 non-Georgian schools. According to the Action Plan 2023-24 of the Strategy, bilingual education program will be introduced in all non-Georgian kindergartens and secondary schools.

The State language courses are available to everyone not only in class, training centers or hybrid/distance format but also through mobile groups deployed at the places of residence, including the most remote villages in the regions densely populated by ethnic minorities.

Language teaching is further expanded in the public sector, military service, religious institutions and the penitentiary system. (In 2015- 2021 - 20 000 beneficiaries; in 2021 – 4 000 beneficiaries; in 2022-2023/03 - 7846 beneficiaries undergo Georgian language programs through the Ministry of Education and Science of Georgia). The integration component is included in the state language programs in compliance with the age of the beneficiaries.

**63. The Roma population in Georgia is relatively small and not homogenous.<sup>15</sup> It comprises several distinct groups that are scattered across the country. Significant Roma communities reside in Tbilisi, in the Kakheti region, in the Gachiani district (Gardabani municipality), in Kobuleti and Kutaisi. There is a noticeable lack of Roma representation in public life in general, and in the conception, implementation and evaluation of the policies that concern them in particular. A number of community leaders act as focal points for communication with the local authorities. However, they do not appear to be consulted on Roma inclusion policies. ECRI therefore encourages the authorities to take measures aimed at enhancing Roma involvement in inclusion policies that concern them, as well as strengthening their cooperation with Roma focal points, including by potentially offering them specific training as mediators.<sup>16</sup>**

**Comment of the Office of the State Minister for Reconciliation and Civic Equality:**

The State Strategy for Civic Equality and Integration 2021-2030 envisages a unified approach to both large and smaller ethnic minority groups, including Roma, to protect and support their cultural identity and enhance their participation in different spheres of a social life. It takes into account the needs and interests of each group with special focus on the Roma community.

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<sup>15</sup> In the 2014 General Population Census, 604 persons self-identified as Roma. However, on the basis of academic and field research, the former Ad hoc Committee of Experts on Roma and Traveller Issues (CAHROM) estimated the overall Roma population in Georgia at 4,500 persons, or 0.12% of the total population in 2017 (see: CAHROM (2017), Thematic visit report on the situation of Eastern Roma groups (Rom, Lom/Bosha, Dom/Garachi, Abdal) and potential policy responses to their needs: 10).

<sup>16</sup> ECRI General Policy Recommendation (GPR) No. 13 on combating antigypsyism and discrimination against Roma, §§ 2-3.

The Strategy and the respective Action Plan implies implementation of various tailored to-the-needs projects, programs and activities aimed at improving the social-economic conditions, extending access to educational opportunities and preserving Roma identity.

The Office of the State Minister coordinates the process of elaboration and implementation of the Strategy, through the Government Commission, established for its effective realization. Along with other thematic working platforms, a Working Group on “Supporting smaller ethnic minority groups” created under the Commission, ensures close cooperation with the civil society organizations working on the Roma issues, as well as direct engagement of Roma community representatives in the Working Group activities.

**§ 67. ...A 2023-2027 Strategy on vocational education and training is to cover, inter alia, activities for the inclusion of vulnerable groups and is scheduled to be submitted to the Government in the course of 2023.**

**Comment of the Ministry of Education and Science:**

In 2021, the Skills Agency was established jointly by the Ministry of Education and Science of Georgia and Georgian Chamber of Commerce and Industry to facilitate the introduction of in-demand vocational programs in the labor market, to support innovative training and to create better employment opportunities. The agency will significantly improve access to vocational education for various socially vulnerable groups and will develop gender-inclusive policies in the field of vocational education.

**§ 74. ECRI received information that an unusually high number of asylum requests are rejected due to alleged national security concerns.**

**Comment of the Ministry of Internal Affairs:**

During recent years, international protection refusal rate based on national security has been significantly decreased. While in 2018, national security represented the basis of refusal of international protection in 32% of rejected applications, in 2019, national security was the ground for refusing international protection in 8% of rejected applications, in 2020 this rate was 5,4%, in 2021- 4,7%, and in 2022 (as of the reporting period) – 3,5%.

**...In such cases, the actual details of the concern and the underlying analysis of the security services are not made available to the applicants or their legal representatives.**

**Comment of the Ministry of Internal Affairs:**

Asylum seeker is provided regarding the legal basis of the decision on granting or refusal of international protection, rendered by the Ministry of Internal Affairs. Asylum seekers rejected based on national security are provided with the relevant article and paragraph of the Law of Georgia on International Protection that was the basis for the negative decision on their application on international protection.

Any decision of MIA made during the Asylum Procedure, including rejection based on national security considerations, can be appealed within one-month period of time after official notification of the decision to the asylum-seeker, in accordance with Georgian legislation.

Court and the Public Defender's Office of Georgia have full access to the security information.

**§ 78. In the first three months following Russia's invasion of Ukraine in February 2022, approximately 48 000 persons fleeing the war in Ukraine entered Georgia.**

**Comment of the Ministry of Internal Affairs:**

The presented data requires clarification. Should MIA have the exact dates of concern and parameters, the relevant figures will be provided.

... Some 35 000 of these left the country shortly afterwards to continue their journey on to central and western European destinations.<sup>17</sup>

**Comment of the Ministry of Internal Affairs:**

This sentence also requires clarification, as it is not clear exactly what time is meant under the phrase “shortly afterwards”. Should MIA have the exact dates of concern parameters, the relevant figures will be provided.

... Of the remaining 12 000 persons, only 300 applied for asylum.

**Comment of the Ministry of Internal Affairs:**

This figure is incorrect - since 24.02.2022 until 01.06.2022 (first three months after the commencement of the war), 330 citizens of Ukraine applied for international protection in Georgia. This group of asylum seekers of Ukrainian citizenship have not necessarily entered the territory of Georgia since the commencement of the war – some of them were also present on the territory of Georgia before the commencement of the war.

**§ 80. ... Nevertheless, there was a lack of official information for Ukrainians arriving and uncertainty about where to receive support.<sup>18</sup>**

**Comment of the Ministry of Internal Affairs:**

Information on the possibility to request for international protection and available services are duly represented at the state borders. Particularly, they do have an access on the information leaflets in a language they understand. Given information leaflet serves to inform people concerned about the procedures for processing applications for international protection in Georgia. It also explains asylum-seekers’ rights and obligations and who they will be dealing with during the determination process.

As well as, when the person concerned applies for international protection at the Migration Department of the Ministry of Internal Affairs of Georgia, in addition to the aforementioned information leaflets, s/he is provided with the relevant information regarding asylum procedure, their rights and obligations during registration, profiling interview, status determination interview. Additionally, asylum-seekers are provided with the relevant information during consultations upon request, on the language that s/he understands, both in oral and written. They are also informed on the possibility to contact UNHCR and its partner organizations, as well as Public Defender’s Office, for legal counselling.

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<sup>17</sup> According to the authorities, these figures refer to border crossings of Ukrainian citizens (entry/exit) only. Therefore, the 35 000 Ukrainians had not necessarily entered the territory of Georgia since 24 February 2022 – some of them might have been present in Georgia already before.

<sup>18</sup> The authorities informed ECRI that information on the possibility to request international protection and available services is provided at the state borders. Particularly, since June 2022, persons arriving from Ukraine have access to information leaflets in a language they can understand. Information leaflets serve to inform people concerned about the procedures for processing applications for international protection in Georgia. It also explains asylum-seekers’ rights and obligations and who they will be dealing with during the determination process.

**§ 86. In its last report on Georgia, ECRI highlighted problems concerning discrimination and intolerance against religious minorities.<sup>19</sup> Unfortunately, this remains an area of concern. ECRI noted, for example, in its last report the problems that the Muslim community in Batumi had faced with the request for the permission to construct another mosque in the city-centre in order to address the insufficient capacity, especially during Friday prayers.<sup>20</sup> Seven years on this problem has still not been resolved and generates feelings of inequality amongst some Muslim community members.<sup>21</sup>**

**Comment of the State Agency for Religious Issues:**

It is important to underline, that there are four mosques operating in Batumi, and the construction permit of the new mosque, appealed to the court, refers to the fifth mosque.

According to the data of 2018, 277 mosques are functioning in Georgia, out of which 144 are in the Adjara region, and the main Mosque of Batumi, which is a cultural heritage monument, was reconstructed/renovated in 2021 with the support of the State and the involvement of the Agency: the commercial spaces around the mosque which were attached to the mosque, were redeemed and completely renovated. Accordingly, the mentioned mosque can fully accommodate the congregation and prayers are no longer held outside the mosque (including on major religious holidays).

Batumi City Hall is the authorized agency to issue a permit for the construction of a new mosque in Batumi, and the initiator of the construction is a non-governmental organization "New Mosque Construction Fund". It is significant that the lack of consensus between the initiating non-governmental organization and the Muslim religious organization operating there prevents the solution of the issue through negotiation. Currently, the refusal of the Batumi City Hall to issue a construction permit has been appealed to the court and a lawsuit is ongoing.

**§ 87. In this connection, ECRI notes with disappointment that its previous priority recommendation<sup>22</sup> with respect to religious discrimination and intolerance (including disputes about religious property and permits for the construction of places of worship<sup>23</sup>) has not been implemented. Although ECRI had recommended that the authorities should in**

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<sup>19</sup> See for example ECRI 2016: §§ 49-52 and 93-103. In this connection, ECRI is fully aware of the vital role that the Georgian Orthodox Church (GOC), which constitutes by far the largest religious group with around 83% of the population according to the last census (2014), has played in the country's history and its prominent place in defining the nation's identity. This role has been particularly crucial after the collapse of the Soviet Union, during which religious life was generally severely limited or even persecuted, and the rebirth of the Georgian nation and the formation of its modern state. It is by no means ECRI's intention to discredit or undermine this tradition or the trust that a very high number of Georgians place in the Georgian Orthodox Church and its leadership (the GOC has regularly and over many years been on the top of polling results in which people were asked which institution in the country they trusted most). According to the 2014 census the religious affiliation of Georgia's population is distributed as follows: Georgian Orthodox Church 83.4%; Islam 10.7%; Armenian Apostolic Church 2.9%; Catholic Church 0.5%; Jehovah's Witnesses 0.3%; Yazidis 0.2%; Protestant Christians 0.1%; Jews 0.04%; as well as others and persons who did not wish to declare their religion. In addition, 0.5% indicated that they do not have any religious affiliation.

<sup>20</sup> ECRI 2016: §§ 95-96.

<sup>21</sup> See also: Commissioner for Human Rights of the Council of Europe, Report following her visit to Georgia from 21 to 24 February 2022: § 52.

<sup>22</sup> ECRI 2016: § 103.

<sup>23</sup> ECRI 2016: § 96.



particular task the newly created State Agency for Religious Issues to cooperate with the Council of Religions, which operates under the auspices of the Public Defender's Tolerance Centre, and utilise the Council's expertise and recommendations in order to tackle the problem of religious intolerance, ECRI had not received any information that this has happened when drawing up its interim follow-up conclusions in 2018 or during its 2022 visit to Georgia. Moreover, not only has the State Agency for Religious Issues not engaged in such cooperation, but instead set up an Inter-Religious Council. Hence, ECRI is concerned that the State Agency for Religious Issues created a parallel mechanism under its guidance, a move that many religious minority representatives, civil society organisations and independent observers met by the ECRI delegation consider to be an action intended to convey governmental dislike of the Council of Religions and its affiliation with the Public Defender's Office. The very fact that this perception of the agency's intention persists is worrying as it reflects the deep-seated levels of mistrust among several religious minority representatives in the state agency.<sup>24</sup>

#### Comment of the State Agency for Religious Issues:

The religious tolerance of the Georgian society originates in deep history and it is still at an exemplary level today. A high standard of interreligious relations and tolerance is proved by a number of visible examples (tradition of the International Day for Tolerance, interreligious conferences, greening campaign, interreligious chess championship, joint charity events etc.). ECRI's recommendation that "the Georgian authorities scale up their support for the Council of Religions operating under the auspices of the Public Defender's Tolerance Center and the State Agency for Religious Issues should cooperate with the Council of Religions" is included in the report prepared within the framework of the 5th monitoring cycle, which was adopted on December 8, 2015 and published on March 1, 2016. The Interreligious Council under the State Agency for Religious Issues was established at the beginning of 2015 and held a number of working meetings during the year. Therefore, information given by ECRI in the current report, as if "the State Agency for Religious Issues did not engage in such cooperation, but also created Interreligious Council", is not true. Regarding the implementation of the specific recommendation of cooperation with the Council of Religions operating under the auspices of the Public Defender's Tolerance Center, the Agency has repeatedly informed ECRI that "the Agency actively cooperates with the Public Defender of Georgia." The Agency regularly studies researches, reports and conclusions of actors who are active in the field of religion in Georgia and beyond. The Council of Religions, despite the Agency's repeated attempts, has not taken the initiative to communicate and cooperate with the Agency, from the moment of its creation to the present day.

Moreover, due to the high standards of freedom of registration of religious associations in Georgia, there are no such requirements for the registration of a religious association, which are found in almost all European countries (e.g. minimum number of followers, annual mandatory registration of parishes, etc.). In other words, any person can register a religious organization of any denomination regardless of religious affiliation. In Georgia, there are 56 religious organizations registered as legal entities of public law, and the exact number of religious associations registered as legal entities of private law, due to their large number, is

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<sup>24</sup> See also: Commissioner for Human Rights of the Council of Europe, Report following her visit to Georgia from 21 to 24 February 2022: § 43.

unknown. Accordingly, almost all religious denominations have more than one religious association registered, and among them, there are many religious organizations with 2-3 people, or they exist only on the registration form.

Considering all of the above, since the Orthodox Church of Georgia which represents 84% of the population is not included in the Council of Religions operating under the auspices of the Public Defender's Tolerance Center, it was necessary to establish a unified Interreligious Council to support interreligious dialogue.

Accordingly, the State Agency for Religious Issues, since its establishment, has been directly cooperating with the religious organizations operating in Georgia and laid the foundation for the Interreligious Council with the Agency, which unites almost all religious associations operating in Georgia. The Council membership is voluntary and based on roundtable principles. Any problems facing religious communities reach the Agency through direct communication.

The Interreligious Council at the Agency unites 12 religious organizations:

- Georgian Apostolic Autocephalous Orthodox Church;
- Administration of all Muslims of Georgia;
- Diocese of the Armenian Apostolic Orthodox Holy Church in Georgia;
- Apostolic Administration of the Caucasus;
- Jewish Union of Georgia;
- Tbilisi International Baptist Church;
- Union of Baptist Churches of Georgia;
- Evangelical-Lutheran Church of Georgia;
- Evangelical-Protestant Church of Georgia;
- Evangelical Faith Church of Georgia;
- Spiritual Council of Yazidis of Georgia;
- International Society for Krishna Consciousness.

Considering the scale of these religious organizations (for example, the Georgian Orthodox Church represents approximately 84% of the population of Georgia; Administration of All Muslims of Georgia represents approximately 95% of the Muslim community living in Georgia; the Diocese of the Armenian Apostolic Orthodox Church of Georgia represents 100% of the followers of the Armenian Apostolic Church, Apostolic Administration of the Caucasus unites 3 associations of Catholic denominations and represents 100% of the Catholic community in Georgia, etc.). The Interreligious Council with the Agency represents almost the full majority of the religious spectrum in Georgia. Also, the membership of the Interreligious Council is free and in case of desire any religious association can join the activities of the Council.

**§ 88. It should be noted, however, that the problem of religious discrimination and intolerance in Georgia is not limited to the dividing lines between majority religion (the Georgian Orthodox Church) and minority religious groups, or between “traditional” (Georgian Orthodox Christians, Roman Catholic Christians, Jews, Sunni Muslims and Shiite Muslims) and “non-traditional” religious communities, as categorised by the government, but includes the fact that some of those communities and representatives agree to a close**

relationship with the government, while some do not. Some representatives of the latter group indicated to the ECRI delegation that the dividing line is primarily about whether to accept governmental interference and control<sup>25</sup> of their internal decision-making. The resulting “carrot and stick” approach towards religious groups (which some religious minority representatives also mentioned continued and was even heightened during the Covid-19 measures with regard to exceptions being granted to religious organisations or not – see also section IV.D below) is seen by some interlocutors as being a remnant of a Soviet-style approach as concerns the relationship between the state and religious organizations. Unfortunately, such an attitude was already reflected in the State Agency for Religious Issue’s development of a Religious Policy Development Strategy in early 2015,<sup>26</sup> in which it advocated moving away from a focus on the protection of religious minority rights and instead shifting the attention on the “internal and foreign security discourses of the state”<sup>27</sup> when it comes to dealing with the ethnic-religious diversity of the Georgian population.<sup>28</sup> In its last report, ECRI already recommended amending the strategy in order 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.<sup>29</sup> ECRI did not receive any information that the State Agency for Religious Issues has moved away from the above-mentioned conceptual approach of putting security concerns at the centre of their approach towards religious minorities or intends to do so in the near future.

#### Comment of the State Agency for Religious Issues:

In general, the existence of "traditional" and "non-traditional" religions is not due to any classification by the State, but is a very common historical situation in a historically multi-religious country like Georgia, and there are many examples of this in European countries with a long history. Moreover, the religiously neutral and non-discriminatory approach of the State is clearly seen in the rules of registration of religious organizations - the basis for registration as a legal entity under public law can be the historical connection with Georgia, or being considered a religion in a member state of the Council of Europe.

The draft report uses some metaphors that may be considered insulting to religious organizations, such as “carrot and stick”. Subjective evaluations of certain individuals and/or organizations cannot not be generalized. In addition, it must be noted, that cooperation with

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<sup>25</sup> In this regard, ECRI notes with grave concern that in September 2021 files that appear to contain evidence as well as content of covert surveillance and illegal phone tapping were leaked to the internet. The material seems to suggest that the State Security Service illegally listened to telephone conversations of clergy, amongst others. Clergy members belonging to a broad range of religious groups, including the majority Georgian Orthodox Church, as well as their family, friends and contacts were allegedly targets and details of their private life are said to have been systematically collected, potentially exposing them to undue political pressure and interference. The Prosecutor’s Office launched an investigation. While ECRI does not intend to pre-empt the outcome of this investigation, it notes that this controversy has already further deepened the existing mistrust between minority religions and the authorities, as can be seen by the joint statement issued by the Public Defender’s Tolerance Centre and a range of representatives of minority religious groups of both Christian and Muslim backgrounds. See: Georgia Today (20 September 2021), “Public Defender: Amount of leaked documents shocked me, it is total eavesdropping”; available at: <https://georgiatoday.ge/public-defender-amount-of-leaked-documents-shocked-me-theres-total-eavesdropping/>

<sup>26</sup> In this regard, the authorities informed ECRI that the 2015 Religious Policy Development Strategy document was, in the end, never formally adopted.

<sup>27</sup> State Agency for Religious Issues, Religious Policy Development Strategy of the Georgian State [draft] 2015: 4.

<sup>28</sup> See also ECRI 2016: § 99.

<sup>29</sup> ECRI 2016: § 101.

the Government institutions should not be portrayed in a negative context. Religious organizations assisting the Government agencies with a purpose to improve the protection of rights in the country should not be label as “pro-government”. The mission of the Agency for Religious Issues is exactly to ensure effective cooperation with various religious organizations and through this process achieve better human rights standard.

As for the draft strategy for the development of religious policy developed by the State Agency for Religious Issues, which was developed in early 2015, it was a 35-page draft that was developed shortly after the establishment of the Agency and presented for public information and to receive feedback from stakeholders. The draft strategy mentioned in ECRI's report has never been approved and does not reflect the Agency's approach. Accordingly, the Agency considers it irrelevant to make recommendations based on a non-existent document, especially since the religious policy of the State is aimed at the promotion and inclusion of non-discrimination and religious tolerance in the field of religion, which is clearly confirmed by the measures implemented in practice.

**§ 93. Representatives of religious minority groups also informed ECRI about unequal and arbitrary rules and decisions concerning religious practices and outreach work during the Covid-19 restrictions. While special exemptions were granted for increasing the number of persons who could attend church services during the Georgian Orthodox holidays, not all the minority religions benefited from such exceptions for their holidays. Discriminatory practices were also reported with regard to special exemptions during periods of confinement for staff and vehicles of religious organisations carrying out charitable work. The unequal treatment hereby did not follow broader religious lines (e.g. Christian groups versus Muslim groups) but could affect Christian minority groups as well as certain Muslim groups, while a variety of groups or individual clergy from different religious minorities also occasionally benefited from exemptions. The spontaneous and unpredictable nature of how such exemptions were granted made the situation particularly prone to reflect a top-down governmental control approach towards religions (see section IV.C above). ECRI was informed that in some instances the Georgian Orthodox Church, or more precisely individual members of its clergy, arranged for exemptions to be extended also to some clerics of minority religions. While such inter-religious solidarity is obviously positive, religious minority groups should not depend on this and it is rather up to the authorities to establish clear, coherent and non-discriminatory guidance for the implementation of the necessary anti-Covid-19 measures in the area of religious practice.**

**Comment of the State Agency for Religious Issues:**

During the COVID-19 pandemic, the State, through the State Agency for Religious Issues, systematically provided religious organizations with detailed information about the regulations imposed to prevent the spread of the new coronavirus and assisted in the enforcement of these regulations. At different times and by different means, both personally and remotely, the State Agency for Religious Issues introduced and explained the measures to be taken to prevent the spread of the new coronavirus (COVID-19) in Georgia, approved by the Resolution N181 of the Government of Georgia of March 23, 2020, based on the Decree N1 of the President of Georgia dated March 21, 2020", the "Isolation and Quarantine Rules" approved by the Resolution No. 322 of the Government of Georgia dated May 23, 2020, the "Rules for Wearing Masks" approved by the Resolution No. 368 of the Government of Georgia dated June 15, 2020, and the IDPs from the Occupied Territories of Georgia, the Ministry of

Labor, Health and Social Protection and the Coordination Council Recommendations on the basis of which the conditions for conducting religious services were clarified, in particular: the need to maintain social distance between participants both indoors and outdoors, the use of masks for the congregation, compliance with hygiene rules, the need to clean icons, ecclesiastical or other religious inventory with a specialized disinfectant solution. In addition, the need to stay at home, to be in self-isolation and to consult a doctor depending on the need was explained to all denominations to introduce to the congregation. Therefore, it is not at all clear what ECRI means by "arbitrary rules and decisions" and "special benefits".

Regarding the measures taken to restrict the right to move during the COVID-19 pandemic, special lists have been prepared regarding the passes and these lists included both religious minorities and the majority. Through a direct and permanent communication with the religious associations, the number of passes that they requested were issued. Moreover, during live communication, according to their request, there were cases of increasing the number of passes (e.g. Church of the Evangelical Faith Church of Georgia, Administration of All Muslims of Georgia, etc.).

It is worth noting that despite the beginning of the autumn wave of the COVID-19 pandemic, the State gave movement passes to all religious organizations and parishes, who celebrated Christmas on December 25 and had to go to the church on Christmas Eve. However, some of the religious organizations themselves decided to show high responsibility and refused the traditional midnight mass. Among them, the Apostolic Administration of the Caucasus took into account the example of the head of the Roman Church - Pope Francis and did not hold a night liturgy. Specifically, on January 6, the restriction of movement at night was removed due to a technical reason, because it would have been impossible to issue passes, considering the number of clergy and parishioners of the Orthodox Church. However, we confirm once again that no religious holiday of any denomination was hindered due to movement restrictions, and all religious associations received as many passes as they requested. Moreover, ECRI's assessment on the spread of exceptions based on "interreligious solidarity" is absurd, as no religious association is authorized to issue such exemptions, especially since there was no need for it - everyone received as many passes as they requested. Of course, the relationship of the State Agency for Religious Issues with religious associations are not limited to the Interreligious Council, and therefore, at their request, religious associations that are not the member of the Interreligious Council also received movement passes:

- The Salvation Army of Georgia;
- Church of the Word of Life;
- Biblical Church of the Savior;
- Seventh-day Adventist Church;
- Holy Trinity Protestant Church;
- Christian Congregation of Jehovah's Witnesses;
- Batumi Biblical Faith Church;
- National Spiritual Assembly of Baha'is of Georgia;
- "The Word of Salvation".

Since the outbreak of the COVID-19 pandemic in Georgia, the Office of the State Minister of Georgia for Reconciliation and Civic Equality within its mandate has been taking pro-active measures to ensure protection and support of ethnic minority representatives in response to the emerging needs. The assistance has been provided through 1) timely access to information on the pandemic and 2) access to subsistence items.

Access to information and awareness -raising on coronavirus-related issues has been prioritized. The Office of the State Minister has started to implement the following:

- Government information web-portal [www.StopCov.ge](http://www.StopCov.ge) in seven languages;
- Dissemination of printed, digital and audio-visual materials on the Coronavirus in minority languages;
- Dissemination of information materials through online and social media outlets in minority languages;
- TV broadcasting of video clips, briefings, statements in minority languages;
- Displaying posters and other visual materials in public space - streets, shops, pharmacies;
- Delivery of SMS text-messages on crucial issues in minority languages;
- Online consultancy (hot-line 144-1) in Armenian and Azerbaijani languages.

On March 3, 2020 the Office of the State Minister started preparation of materials in minority languages on the COVID-19 prevention recommendations, hygienic measures, regulations and dissemination to ethnic minority population in the regions. The State Minister`s Office ensured translation of Government briefings, statements, recommendations of WHO into minority languages that have been circulated through official social media pages of regional and local governments, local TV and radio outlets.

Since March 13, 2020 video clips on the COVID-19 hygiene recommendations and measures of its prevention, have been translated and disseminated in Armenian and Azerbaijani languages. In addition, bilingual (Georgian-Armenian and Georgian-Azerbaijani) SMS messages on lockdown measures/regulations have been delivered to mobile phone owners from the regions densely populated by ethnic minorities. Also, voice messages on the Coronavirus prevention measures have been delivered to the population by vehicles with loudspeakers.

In parallel, the Office of the State Minister, in cooperation with the UN Association of Georgia and with the support of USAID and UNICEF, started to produce printed information materials (leaflets, posters) in minority languages and disseminate in the regions densely populated by ethnic minorities, especially in those villages which are relatively distanced from the administrative centers. Furthermore, the COVID-19 related information were published in Azerbaijani language newspaper “Gurjistan” and Armenian language newspaper “Vrastan” and their special editions. In total, 529 100 printed information materials have been prepared and delivered, including:

- Leaflets- 513 000
- Posters- 5 600
- Newspapers (“Vrastan” and “Gurjistan”) 4 500 copies; special editions – 6 000 copies

**March 13, 2020 - on COVID-19 prevention recommendations and measures**

- ❖ Kvemo Kartli - 3000 copies of leaflets in Azerbaijani language



- ❖ Samtskhe-Javakheti region – 3000 leaflets in Armenian language

#### March 25, 2020 - on COVID-19 hygiene/prevention recommendations

- ❖ Kvemo Kartli (Marneuli, Bolnisi) 49 800 copies (32 000 leaflets in Azerbaijani language and 16 000 in Armenian language/1200 Azerbaijani-language and 600 Armenian language posters)
- ❖ Samtskhe-Javakheti region (Ninotsminda) - 16 600 copies (16000 Armenian-language leaflets and 600 posters)
- ❖ Newspapers - 4500 copies (Armenian-language „Vrastan“-2000; Azerbaijani-language newspaper “Gurjistan” -2500)
- ❖ Special editions of newspapers 6000 copies („Vrastan“-3000; „Gurjistan“-3000)

#### March 26, 2020 – on COVID-19 prevention recommendations

- ❖ Kvemo Kartli region- 41 400 copies (28 000 Azerbaijani-language leaflets/12 000 Armenian-language leaflets; 800 Azerbaijani-language/480 Armenian-language posters)
- ❖ Kakheti region - 5300 copies (4000 Azerbaijani language leaflets and 800 posters; 500 Armenian language leaflets)
- ❖ Samtskhe-Javakheti region- 29 120 copies (28000 Armenian-language leaflets and 1120 posters)

#### April 2-4, 2020 - on quarantine measures

- ❖ Kvemo Kartli region - 99 500 copies (90 000 Azerbaijani-language and 9 500 Armenian language leaflets)
- ❖ Samtskhe Javakheti region - 90 000 copies (80 000 Armenian-language and 10 000 Georgian-language leaflets)
- ❖ Kakheti region -20 500 copies (20 000 Azerbaijani-language and 500Armenian-language leaflets)

#### April 28-29, 2020 – frequently asked questions on COVID-19 related-emergency situation /quarantine measures

- ❖ 150, 000 copies (50 000 in each language) of information leaflets in Armenian, Azerbaijani and Georgian languages delivered to the population in the municipalities of Kvemo Kartli, Samtskhe-Javakheti and Kakheti regions.

**In order to mitigate negative social-economic effects of the COVID-19 pandemic, food and hygienic items have been delivered to socially vulnerable ethnic minority families.**

Since November 8, 2020 the Office of the State Minister, in cooperation with UNICEF has delivered up to 605 parcels with food and hygienic items to socially vulnerable ethnic minority families in quarantine zones of Marneuli and Bolnisi, as well as villages bordering quarantine zones, such as Tetrtskaro and other municipalities; access to subsistence items was also ensured for socially vulnerable multiple children families and Roma community, specifically,

- Kvemo Kartli – 102 parcels
- Samtskhe-Javakheti – 50 parcels
- Kakheti – 73 parcels
- Roma community across the country – 380 parcels

Roma families have also been provided with audio information in their native languages about lockdown regulations.

**Since April 16, 2020** the State Minister has conducted a series of online information meetings/consultations with ethnic minority young activists, regional media representatives, and representatives of non-governmental organizations. The above-mentioned communication aimed to deliver comprehensive information about the measures undertaken by the Government in response to pandemic, as well as enable ethnic minority representatives to provide feedback on the challenges faced by their communities.

In particular, the role of regional media broadcasters and the process of online schooling have been considered and discussed; the participants shared their initiatives for fostering and tailoring the supportive measures.

**In response to the next waves of the COVID-19 pandemic (second half of 2020- 2021), the Office of the State Minister continued to implement specific adapted measures aimed at supporting ethnic minority representatives.** Specifically, to facilitate access of ethnic minorities to important information on the COVID-19, including new regulations, the Office of the State Minister has launched a 3-component large-scale information-awareness-raising campaign which implies:

- Door-to-door delivery of up to 100,000 bi-lingual (Georgian-Armenian, Georgian-Azerbaijani) leaflets on the latest regulations, Coronavirus management and anti-crisis plan, COVID-19 vaccination;
- Online training sessions for ethnic minority youth on the COVID-19 related issues by bilingual volunteers. Bilingual young people who got special training on the above topic have already conducted 7 online meetings in 36 villages of 5 municipalities;
- Online consultancy (Government hotline 144-1) in Armenian and Azerbaijani languages;
- Door-to door information/ awareness raising meetings on COVID-19 vaccination in the villages of the municipalities densely populated by ethnic minorities with engagement of renowned immunologists and allergists.

Also, the Office of the State Minister, with the UNICEF support, has delivered 729 parcels with food and hygienic items to orphans and children with disabilities. Specifically,

- In Kvemo Kartli – 353 parcels
- In Samtskhe-Javakheti – 134 parcels
- In Kakheti -242 parcels.

**In total: in 2020-2021** up to one million information printed materials were prepared in minority languages and delivered in the regions densely populated by ethnic minorities. Also,

1334 food and hygienic items were delivered to the most socially vulnerable ethnic minority families.

*Access to education* was ensured through rapid shift to remote/online learning format through introduction of digital education platforms. Also, a television project “TV School” is under implementation; it implies broadcasting TV lessons in various subjects for schoolchildren and entrant students, including ethnic minority representatives.

**The Office of the State Minister within its competence continues further support of ethnic minority representatives as required.**

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The European Commission against Racism and Intolerance (ECRI) is a unique human rights monitoring body which specialises in questions relating to the fight against racism, discrimination (on grounds of “race”, ethnic/national origin, colour, citizenship, religion, language, sexual orientation and gender identity), xenophobia, antisemitism and intolerance in Europe; it prepares reports and issues recommendations to member States.