

Georgiana (37)



2000 Annual Report on International Religious Freedom:

Georgia

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GEORGIA

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Overall, in the period covered by this report there was a slight improvement in the status of religious freedom in some areas. Some lower courts sought to render more objective decisions in cases involving religious issues by remitting cases to expert panels.

The Government and the public generally do not interfere with traditional religions; however, there continued to be incidents in which politicians and local authorities either participated in or did not prevent harassment of nontraditional religious groups.

The U.S. Government discusses religious freedom issues with the Government and the Government has been cooperative, particularly in dealing with issues related to Jehovah's Witnesses.

Section I. Government Policies on Freedom of Religion

Legal/Policy Framework

The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, local police and security officials at times harassed foreign and local missionaries and their congregations. The Constitution recognizes the special role of the Georgian Orthodox Church in the country's history, but also stipulates the independence of the Church from the State.

Throughout the country's history, the Georgian Orthodox Church has been a key rallying point for patriotic sentiment. The Church has lobbied Parliament and the Government for laws that would grant it special status and restrict the activities of missionaries from "nontraditional" (mostly Protestant evangelical) religions that might draw Orthodox believers, especially ethnic Georgians, away from it. The Georgian Orthodox Church enjoys a tax-exempt status not available to other religions. Various draft laws, some modeled on the Russian law on religion, have been introduced but thus far have not been adopted by Parliament. Currently, a concordat between the State and the Church, which would delineate the Church's rights and responsibilities, is also under consideration. A number of nongovernmental organizations

(NGO's) have criticized the proposed concordat. They argue that the concordat would grant the Church the status of a government ministry without the necessary accompanying oversight and that such a concordat would grant the Church too many powers in procurement, licensing, and property ownership. The Church also wants to have religious education in schools. Some NGO's have argued that the Government has supported the Georgian Orthodox Church through the state budget by financing poverty programs and reconstruction of churches.

There are no laws that require the registration of religious groups. However, religious groups that perform humanitarian works, the Salvation Army among them, must be registered as charitable organizations.

There are no statutes or regulations related specifically to religious freedom. Currently, there is a debate as to whether a legal regime is needed to complement the constitutional protections of freedom of religion and if so, what form it should take, for example, whether there should be concordats individually with each religion and group or a law applied universally.

Religious Demography

Most ethnic Georgians (approximately 70 percent of the population of 5 million, according to the 1989 census) nominally associate themselves with the Georgian Orthodox Church. Orthodox churches serving other non-Georgian ethnic groups, such as Russians and Greeks, are subordinate to the Georgian Orthodox Church but generally use the language of their communicants. In addition, there are a small number of (mostly ethnic Russian) believers from three dissident Orthodox schools: the Malakani; Storoveriy (Old Believers); and Dukhoboriy, the majority of whom have left the country. The period of Soviet rule saw a sharp decline in the number of active churches and priests, as well as a near-total absence of religious education. As a result, the level of religious practice is relatively low. Membership in the Georgian Orthodox Church has continued to increase since independence in 1991. It maintains 4 theological seminaries, 2 academies, several schools, and 27 church dioceses. According to the Church, it has 700 priests, 250 monks, and 150 nuns. The Church is headed by a Catholicos Patriarch, Ilya II, whose See is in Tbilisi.

Women and older persons predominate at the Church's services, and worshippers often only remain long enough to genuflect and light a candle. Financial restrictions limit the church's ability to train its clergy fully or perform any pastoral functions beyond the liturgy.

Like many other religious institutions during the Soviet era, the Georgian Orthodox Church largely was suppressed; many churches were destroyed or turned into museums, concert halls, and other secular establishments. As a result of the new policies of the Soviet Government toward religion in the late 1980's, the present Patriarch began reconsecrating churches formerly closed throughout the country. The Church remains very active in the restoration of these religious

facilities and is lobbying the Government for the return of properties that were held by the Church before the Bolshevik Revolution. (Church authorities have claimed that 20 to 30 percent of the land at one time belonged to the Church.)

Several religions, including the Armenian Apostolic Church, traditionally have coexisted with Georgian Orthodoxy. A large number of Armenians live in the southern Javakheti region, where they constitute a majority of the population. Islam is prevalent among Azerbaijani and north Caucasus ethnic communities in the eastern part of the country and also may be found in the regions of Ajara and Abkhazia. Some 5 percent of the population are nominally Muslim. Judaism, which has been present since ancient times, is practiced in a number of communities throughout the country, especially in the largest cities of Tbilisi and Kutaisi. Approximately 8,000 Jews remain, following two large waves of emigration, the first in the early 1970's and the second in the period of perestroika during the late 1980's. Before that, Jewish officials estimate, there were as many as 100,000 Jews in the country. There are also small numbers of Roman Catholic and Lutheran worshipers among communities that settled in the country in the 17th to 19th centuries. A small number of Kurdish Yezidis have lived in Georgia for centuries.

Since the demise of the Soviet Union, Protestant denominations have become more prominent, including Baptists (composed of Russian, Georgian, Armenian, Ossetian, and Kurdish groups); Seventh-Day Adventists; Pentecostals (both Georgian and Russian); Jehovah's Witnesses (local representatives say that the group has been in the country since 1953 and has about 40,000 adherents); the New Apostolic Church; and the Assemblies of God. There are also a few Baha'is, and Hare Krishnas. There are no available membership numbers for these groups, but combined, their membership probably totals about 100,000 persons.

Governmental Restrictions on Religious Freedom

Some nationalist politicians continue to use the views and the institution of the Georgian Orthodox Church as their platform, and criticized some Protestant groups, especially evangelical groups, as subversive. Jehovah's Witnesses in particular are the subject of attacks from such politicians.

In April 1999, a nationalist parliamentarian opened a court case against Jehovah's Witnesses, seeking to ban the group on the grounds that it presents a threat to the State and the Georgian Orthodox Church. Lawyers for Jehovah's Witnesses argued that the suit violates the Constitution and appealed to a higher court to have the case thrown out. The Supreme Court dismissed the challenge in June 1999, and the case was heard. On February 29, 2000, the Isani-Samgori district court dismissed the lawsuit based on the opinion of an expert academic panel. The case was appealed to the Tbilisi district appeals court and on June 23, 2000, the court ruled in favor of the plaintiff. Jehovah's Witnesses planned to appeal.

Many of the problems among traditional religious groups stem from arguments over property. The Roman Catholic and Armenian Apostolic Churches have been unable to secure the return of their churches and other facilities closed during the Soviet period, many of which later were given to the Georgian Orthodox Church by the State. A prominent Armenian church in Tbilisi remains closed and the Roman Catholic Church and the Armenian Apostolic Church, as is the case with Protestant denominations, have had difficulty obtaining permission to construct new churches, reportedly in part as a result of pressure from the Georgian Orthodox Church. Georgian Orthodox Church authorities have accused Armenian believers of purposely altering some existing Georgian churches so that they would be mistaken for Armenian churches. At present, these groups are taking such arguments to court. The Catholic Church did complete successfully the construction of a new church in Tbilisi in 1999 and one in Batumi in June 2000.

The Jewish community also experienced delays in the return of property confiscated during Soviet rule. A former synagogue, rented from the Government by a theater group, was ordered by the courts to be returned to the Jewish community in 1997. The theater group refused to comply and started a publicity campaign with anti-Semitic overtones to justify its continued occupation of the building. In December 1998, President Shevardnadze promised Jewish leaders that the synagogue would be returned before the 2,600-year celebration of Jewish settlement. However, the President's order was not enforced, and the building remains in the hands of the theater group. The theater group has brought suit, claiming that the building was never a synagogue. The court remitted the issue to a panel of experts for evaluation. In May 2000, the panel informed the court that it had come to a split decision on whether the building had been a synagogue. The court reconvened on June 29, 2000 but had not rendered a ruling by the end of the period covered by this report.

Pressure from the Georgian Orthodox Church on the Ministry of Education prevented the use of school textbooks to which the Church objected (see Section II). By law all school textbooks must be approved by the Ministry of Education, in consultation with various ministries and the office of the Patriarch. Two textbooks were refused licenses due to the disapproval of the Georgian Orthodox Church. In one case, the office of the Patriarch vetoed the textbook, and the Ministry of Education therefore refused to grant the license. In the other, the Ministry of Education granted the license, but a committee of concerned Orthodox parents, which the office of the Patriarch publicly acknowledged was its creation, successfully sued the Ministry of Education to rescind the license. Governmental Abuses of Freedom of Religion

Members of a number of Protestant--particularly evangelical--organizations continued to be detained or otherwise harassed by local police. These groups also reported some incidents of harassment outside Tbilisi by Georgian Orthodox priests and their supporters. They also complain of instances when either the local police failed to intervene in

a mob situation or the Procuracy failed to move court cases forward (see Section II). Many observers believe that the local police have the sanction, or think that they have the sanction, of the central Government for their actions. Although Jehovah's Witnesses note a decrease in harassment by local police, they argue that local officials have changed their strategy and now employ new tactics, attempting to provoke verbally Jehovah's Witnesses rather than initiating the harassment themselves.

On October 17, 1999, a worship service of 120 parishioners in the Gldani district of Tbilisi was attacked violently by members of a renegade Georgian Orthodox group. (The leader of this group was excommunicated from the Church due to his radical and often confrontational stance.) The Gldani police refused to intervene. Sixteen persons were injured in the attack. On December 25, 1999, the case was forwarded to the Gldani prosecutor's office for criminal charges. Despite the advocacy by the National Security Advisor for human rights on Jehovah's Witnesses behalf, in January 2000, the Gldani regional prosecutor's office returned the case to the city prosecutor's office, stating that no violation had occurred. The group continues to press for prosecution of the police's behavior in this and similar subsequent incidents. Instead the official in charge of the investigation decided in June 2000 to charge one of the plaintiffs with hooliganism (see Section II).

Several members of another evangelical group, the Assemblies of God, were beaten and abused verbally by police officials while conducting outdoor services in the Gldani region of Tbilisi in May 1999. The officials sought to obtain the names of the church members. The group asserts that it continues to be under local police surveillance. A number of members of the congregation were hesitant to return to their apartments and cars for a few days. In September 1999 the group brought suit against the police and lost. The group alleged that the leader of a radical Orthodox group exerted pressure on the court. The appeal was pending in the Supreme Court as of June 30, 2000.

In August 1999, public services by four evangelical Protestant congregations in Tbilisi were brought to a halt as a result of hostility from the police and radical Orthodox activists. The churches were able to resume public services only after the October 1999 parliamentary elections, because the police confiscated the documentation they needed to rent appropriate premises, although in the intervening period they continued to hold small-scale services in private apartments. The police raided three Tbilisi meeting places in late August 1999, halting services then in progress at two of them. President Eduard Shevardnadze publicly condemned these acts but as of mid-2000 there were no reports of any investigation of the police involved. As of mid-2000 there were no reports that any Protestant congregations in Tbilisi were unable to worship publicly.

In December 1999, Jehovah's Witnesses requested permission from the city of Tbilisi to use its sports palace in July 2000 for a convention. In April 2000, the city denied permission. In conversations with group

leaders, city officials indicated concern for the safety of the attendees. Jehovah's Witnesses appealed this decision. The group speculates that the city denied permission due to fear of pressure from the Orthodox Church.

There were no reports of religious detainees or prisoners in the area of the country under the control of the Government.

Regular and reliable information about the "Republic of Abkhazia," which is not recognized by any country and over which the Government of Georgia does not exercise control, is difficult to obtain. The Abkhaz "President," Vladislav Ardzimba, issued a decree in 1995 that banned Jehovah's Witnesses in Abkhazia. It remains in effect. A number of members of Jehovah's Witnesses have been detained subsequently. Five persons who were detained in April 1999 for violating the decree were released in early May 2000 after their counsel argued that their detention violated a freedom of conscience clause in the Abkhaz Constitution. According to a representative of Jehovah's Witnesses, none were detained at the end of the period covered by this report. Overall, in the period covered by this report there was a slight improvement in the status of religious freedom in some areas. Some lower courts sought to render more objective decisions in cases involving religious issues by remitting cases to expert panels. The National Security Council representative for human rights as well as the parliamentary Committee for Human Rights were effective advocates for religious freedom and intervened successfully on a number of occasions. During the period covered by this report, religious organizations and NGO's noted that such efforts by elements within the judiciary to improve the overall protection of religious freedom, although the Procuracy remains unresponsive unless pressure is exerted. There was still harassment of Protestant evangelical groups by local officials, especially police, in certain areas. In some cases, the officials apparently were influenced by the Georgian Orthodox Church.

Forced Religious Conversion of Minor U.S. Citizens

There are no reports of the forced religious conversion of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the Government's refusal to allow such citizens to be returned to the United States.

Section II. Societal Attitudes

The Georgian Orthodox Church withdrew its membership from the World Council of Churches in 1997 in order to appease clerics strongly opposed to some of the Council's requirements and methods of operation and thereby avert a schism within the Church. Some senior church leaders remain highly exclusionary and emphasize theirs as the "one true faith." Some Protestant groups--especially evangelical groups--have been criticized by church officials and nationalist politicians as subversive. Eleven leaders of the Georgian Orthodox Church have argued that Christian missionaries should confine their activities to non-Christian areas. Orthodox priests and their supporters,

other religious groups, local police, and security officials at times reportedly harassed missionaries in rural areas and small towns, as well as Tbilisi (see Section I).

According to some local human rights groups, as a result of pressure from the Georgian Orthodox Church the Ministry of Education prevented the use of two school textbooks on the history of religion because they did not give absolute precedence to Orthodox Christianity (see Section I).

The public's attitude towards religion is ambivalent. Even though many residents are not particularly observant, the link between Georgian Orthodoxy and Georgian ethnic and national identity is strong. One local NGO believes that the public's tolerance of evangelical groups is decreasing, which is being exploited by nationalistic politicians. However, a number of members of the liberal intelligentsia regard the Church as a bastion of conservative chauvinism. Some NGO's advocate removing the clause in the Constitution concerning the Church's special role, claiming that it contradicts the Constitution's provisions regarding religious freedom.

The Islamic and Jewish communities report that they have encountered few societal problems. There is no pattern of anti-Semitism. Jewish leaders attribute isolated acts of anti-Semitism, including the publication of anti-Semitic newspaper articles and the destruction of Jewish communal property, to the country's general instability and disorder. In the past, President Shevardnadze has made statements criticizing anti-Semitic acts. There has been little evidence of Islamic fundamentalist activity.

Pope John Paul II visited Tbilisi in November 1999 and was received warmly. The Armenian Catholicos also visited the country in May 2000.

The occasional instances of religious intolerance are a reflection of prejudice by church officials and ignorance of or disregard for the law by certain local police and political authorities.

In May and June 1999, nationalist groups (i.e., supporters of former President Zviad Gamsakhurdia) protested plans to send an exhibition of artifacts and religious relics to the United States. The Patriarchate also publicly objected to the exhibit. In the period prior to the October 1999 parliamentary elections, opponents increased the pressure with hunger strikes and public protests. The President decided to cancel the exhibition.

In August 1999, hostility from police and radical Orthodox activists halted services by four evangelical Protestant congregations (see Section I).

In the winter and spring of 2000, followers of Jehovah's Witnesses were attacked four times in the Gldani district of Tbilisi by radical Orthodox activists. On April 19, 2000, in four different places in the western part of the country, members of Jehovah's Witnesses were attacked and the

police failed to intervene.

Nationalistic politicians have manipulated the activities of Jehovah's Witnesses in particular to excite public hostility. In April 2000, one politician inaccurately publicized the case of a hospitalized member of Jehovah's Witnesses who refused certain forms of medical treatment. The event was covered widely in the press and sparked a brief public debate over religious beliefs and medical ethics.

On May 18, 2000, a radical religious group, called the Basilists after their leader, Father Basilia, held a rally in front of Parliament to protest the activities of nontraditional religious groups and NGO's.

Religious groups and observers believe that the media's coverage of religious issues improved, to varying degrees; however, most agree that the media often is biased in favor of the Georgian Orthodox Church and uneducated on the issues being discussed.

In June 2000, ethnic Armenians blocked persons, including the Patriarch, from entering a Georgian Orthodox Church in Ninotsminda, a predominately ethnic Armenian city in the south. Both the Patriarch's office and government representatives from the area believe that the incident was socially, and not politically or religiously motivated.

Section III. U.S. Government Policy

The U.S. Embassy has sought to encourage the resolution of complaints from religious groups that allege harassment by local authorities, pointing out the importance of religious freedom. The Embassy attended some court sessions of the Jehovah's Witnesses court case. In addition, the Embassy promotes local awareness of religious freedom by meeting regularly with officials from local and international NGO's working on the issue. During the period covered by this report, the Embassy discussed religious freedom issues with representatives of the Georgian Orthodox Church, and of the Jewish, Islamic, and Protestant faiths. In addition, the Embassy was in contact on these issues with local and international human rights organizations, as well as with government officials from the legislative and executive branches who are concerned with religious and human rights issues.

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