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August 29, 2001

MEMORANDUM TO THE U.S. GOVERNMENT ON RELIGIOUS VIOLENCE IN THE REPUBLIC OF GEORGIA

Introduction

Non-Orthodox Christian worshippers throughout Georgia have been the targets of at least eighty violent attacks by civilian groups in the past two years. The government has made no serious efforts to criminally investigate—let alone prosecute—the perpetrators, and in some cases, police themselves violently broke up prayer gatherings. Attacks have grown more frequent with the ensuing atmosphere of impunity. Assailants stalk worshippers on their way to or from prayer meetings, or break up prayer meetings in private homes. They beat congregants, at times inflicting serious injuries, ransack private homes, destroy property, and burn religious literature. The assailants target the victims because of their faith and seek to intimidate congregants into abandoning their religious practices.

The victims are primarily Jehovah's Witnesses, Pentacostalists, Baptists, and members of the Assembly of God, also known in Georgia as “non-traditional” worshippers. The evidence indicates that many of the attacks have been led or organized by Vasili Mkalavishvili,¹ a priest from Tbilisi who has been deposed by the Georgian Orthodox Church, and his followers. Religious violence is now also perpetrated by people who have no apparent connection with Mkalavishvili, including members of nationalist organizations, church clergy, and those who are simply neighbors of so-called non-traditional congregants.

Human Rights Watch interviewed twenty-two victims of religious violence in Georgia in 2001. The government's failure to address the attacks, documented in this memorandum, violates its obligations under international law. The International Covenant on Civil and Political Rights (article 18) and the European Convention for the Protection of Human Rights and Fundamental Freedoms (article 9) provide for the right to freedom of religion. The right to religious freedom includes the “freedom to have or

¹ He is also known as Basili Mkalavishvili, or Father Basil.

to adopt a religion or belief of [one's] choice, and freedom, either individually or in community with others and in public or private, to manifest [one's] religious belief in worship, observance, practice and teaching."² Furthermore, "[n]o one should be subject to coercion which would impair [one's] freedom to have or adopt a religion or belief of [one's] choice."³

As a party to both conventions, the Georgian government has a duty to guarantee basic rights to religious minorities, to prosecute those who participate in religious violence, and to take administrative or legal measures against officials who are complicit in religious violence or who do not exercise their authority to enforce the criminal law. The government's failure to uphold these obligations early on no doubt encouraged further acts of religious violence. In the few instances where the government has acted, the measures adopted were too meager and too late to be effective.

Recommendations for United States Policy

The U.S. government has responded to religious violence in Georgia chiefly through private expressions of concern to the Georgian government at all levels in bi-lateral relations and in the framework of the Organization for Security and Cooperation in Europe.⁴ The U.S. State Department's year 2000 annual *Report on International Religious Freedom: Georgia*, adequately described religious violence, but glossed over the atmosphere of impunity created by the Georgian government's failure to act. The U.S. Embassy in Tbilisi, jointly with the Embassy of the United Kingdom, issued a public statement in response to an incident of police and mob violence in September 2000.⁵ While private demarches are welcome, they have been ineffectual in pressing the government of Georgia to take any meaningful action. To address the atmosphere of impunity, the Bush administration should urge the government of Georgia to conduct thorough and impartial investigations of religious violence, and to hold the perpetrators accountable. It should request the government of Georgia to make publicly available a case-by-case description of actions taken to investigate and prosecute cases of religious violence. It should encourage the Georgian government to better publicize its own expressions of concern about religious intolerance.

With its mandate under IRFA, the U.S. Commission on International Religious Freedom should make Georgia a priority country and ask the Bush administration for a full accounting of measures taken to express concern about religious violence in Georgia. It should visit Georgia with a view toward making recommendations to the Bush administration for promoting accountability for religious violence and should include a section on Georgia in its next annual report.

² International Covenant on Civil and Political Rights, article 18.

³ Ibid.

⁴ E-mail correspondence with U.S. embassy in Georgia, July 23, 2001.

⁵ The statement, issued September 15, 2000, read: The Embassies of the United States of America and Great Britain are greatly disturbed by this and other recent serious infringements on those exercising their right of religious freedom in Georgia, including the mistreatment of members of the Baptist Church in August. The Georgian constitution and the European Convention on Human Rights guarantee an individual's right to freely practice the religion of one's choice. We call upon the Government of Georgia to investigate these incidents and to be vigilant in ensuring respect for the religious rights of all."

Background

The majority of ethnic Georgians, who make up about 70 percent of Georgia's population, are considered to be associated with the Georgian Orthodox Church. Eastern Georgia adopted Christianity as its state religion in 337 A.D., the second state to do so after Armenia. Many Georgians consider affiliation with Orthodoxy an essential feature of Georgian national identity.⁶ On March 30, 2001, parliament amended the constitution to establish relations between the Georgian Orthodox Church and the state on the basis of a concordat, which would grant the Church and its clergy a privileged position in Georgian society.⁷

Referred to as “nontraditional faiths,” Jehovah's Witnesses, Pentacostalists, Baptists, and congregations of other Protestant faiths have been in Georgia for many years. Jehovah's Witnesses, for example, claim to have been present in Georgia since 1953, while Baptist churches there were established in the nineteenth century. The number of adherents is unknown but is believed to be in the tens of thousands. Georgia has no law expressly regulating the activities of religious organizations.

Those critical of non-traditional faiths in Georgia argue that the latter are taking advantage of Georgia's economic collapse and political troubles to win converts. They take particular offense at what they perceive as aggressive proselytism by these churches. They claim such faiths eradicate Georgian identity and threaten the Georgian nation, sometimes pointing to refusal by adherents of some faiths to serve in the military. Some claim that the practices of non-traditional faiths “defile” the Orthodox Church. While not all citizens who espouse these views took up the call to violence, perpetrators of violence cited these and other justifications for their actions.

Vasili Mkalavishvili, for example, recently stated to the BBC: “It is terrible, terrible that today Georgia is being invaded by dark satanic forces of the outside. Many do not understand that Georgia's salvation is in Orthodoxy, and that those sects, and especially Jehovah's Witnesses, are trying to destroy our centuries'-long tradition. This is why I and my followers have declared a battle against those sects and we are determined to carry on fighting them.”⁸ In

⁶ For example, at a special session of parliament marking Georgia's accession to the Council of Europe, Ilia II, Catholicos-Patriarch of the Georgian Orthodox Church, made a speech highlighting the Church's importance to the development of Georgia's statehood and in protecting and maintaining Georgian national identity. *Newsletter of the Parliament of Georgia*, April 1999, at www.parliament.ge/NEWSLETTER/april-99.htm, accessed July 2001.

⁷ Article 9 of the Georgian Constitution, which previously “recognize[d] the special importance of the Georgian Orthodox Church in Georgian history but simultaneously declare[d] complete freedom of religious belief and confessions, as well as independence of the church from the state” was amended to allow the forthcoming concordat to govern relations between the state and the Georgian Orthodox Church. While the concordat itself has not yet been adopted, under a recent draft, privileges accorded to the Georgian Orthodox Church would include a recognition in law that its clergy would be exempted from military service, the creation of Georgian Orthodox Church chaplains for the military and prisons, and programs for teaching Orthodox doctrine in public schools. Also under discussion is vesting in the Georgian Orthodox Church exclusive authority to grant permits for the construction of any orthodox church.

⁸ BBC World Service, “Focus on Faith” August 07, 2001, report on Georgia: Jehovah's Witnesses.

March 2001 he declared that: “We won’t allow sectarians to build their Satanic churches”, because: “They are against Orthodoxy and insult Jesus Christ. They are selling out Orthodoxy and the Georgian soul.”⁹

Opponents of non-traditional religions who have not participated in violence against their adherents have a range of views. At a Tbilisi news conference given in July 2000, Guram Sharadze, a member of parliament from the nationalist Georgia First of All Party who filed a lawsuit which resulted in the de-registration of the Jehovah’s Witnesses in Georgia, alleged that they were spending hundreds of thousands of dollars to undermine Orthodox Christianity in Georgia and, bizarrely, that they were receiving covert support from the city’s American-managed electricity company.¹⁰

Patriarch Ilia II, the head of the Georgian Orthodox Church, has cited the growth of “sects” in Georgia to argue for closer cooperation between the Georgian Orthodox Church and the government. The Georgian Orthodox Church to date has not condemned religious violence against non-traditional faiths. In July 2001, in response to a June attack in Martvili that involved church clergy, Patriarch Ilia II said, “the Georgian Orthodox Church works within the bounds that are acceptable to the Orthodox Church, which is peaceful treatment.”¹¹

From Intolerance to Violence: 1999 -2000

Organized violence against non-Orthodox Christian denominations followed attempts in 1998 and 1999 by the Georgian Orthodox Church to lobby the government to restrict these denominations’ activities,¹² as well as several highly publicized actions, some violent, by government agents who sought to break up such activities.

The run-up to Georgia’s October 1999 parliamentary elections marked a watershed in official intolerance toward non-traditional faiths, and was the context for the first incidents of citizen violence. On May 4,1999, Guram Sharadze filed suit in Tbilisi’s Isani-Samgori district court to annul the Jehovah’s Witnesses registration,¹³ arguing initially that the organization threatened the Georgian state and national identity. After the court ruled that Jehovah’s Witnesses literature constituted no threat to the state, he argued that deregistration was required by Georgia’s lack of a law on religion.¹⁴

⁹ Keston News Service, March 28, 2001.

¹⁰ Caucasus Press report, July 28, 2000.

¹¹ United Press International, July 20, 2001.

¹² According to the *Country Report on Human Rights Practices for 2000: Georgia*, published by the United States Department of State’s Bureau of Democracy Human Rights and Labor, “the Georgian Orthodox Church lobbied Parliament and the Government for laws that would grant it special status and restrict the activities of missionaries from ‘nontraditional’ religions. Various draft laws, some modeled on the Russian law on religion, have been rejected by Parliament.” The report also describes the arrest, and subsequent release, of a Jehovah’s Witnesses representative in Abkhazia. It is worthwhile to note that in 1998 the Russian parliament adopted a law that privileged the Russian Orthodox Church and severely restricted the activities of many “non-traditional” religious organizations.

¹³ In April 1998 the Isani-Samgori district court registered the Jehovah’s Witnesses as a civil association under the Georgian civil code.

¹⁴ In 1999 Sharadze also successfully spearheaded an effort to prevent an exhibit of Georgian ancient and medieval art and artifacts— “The Land of Myth and Fire: the Art and Culture of Ancient and Medieval Georgia”—from traveling to the United States. He claimed the contents of the exhibit were going to be sold off to pay Georgia’s

The court in February 2000 ruled against Sharadze. But on June 27, 2000, an appeals court reversed the district court's decision in a ruling which served to annul the Jehovah's Witnesses' registration. On February 22, 2001, the Supreme Court of Georgia upheld the appeals' court ruling, holding that because the Jehovah's Witnesses is a religious organization it could not, as it had been, be registered as a "legal entity of private law" under the civil code.¹⁵ The Supreme Court ruling stated that deregistration meant neither the banning of the organization and its activities, nor a restriction of its members' "freedom to change their belief, either alone or jointly with others, either publicly or in private" and "freedom to manifest their religion or beliefs, from the viewpoint of religious teachings and having rituals."

Some commentators expressed the view that the initial lawsuit and the ensuing violence were intended to exploit voter discontent with the Georgian government's failure to curb rampant corruption and raise living standards. After the lawsuit was filed, law enforcement agencies broke up non-traditional religious gatherings and seized their literature. On May 29, 1999, for example, police in the Gldani district of Tbilisi violently broke up a prayer meeting of the Assembly of God, threatening and beating several participants.¹⁶ In July and August, Georgian customs police impounded six tons of Jehovah's Witnesses' religious literature, claiming that the organization's registration had been revoked. The materials were released in December, after the Jehovah's Witnesses filed suit against the customs service.

The first major mob assault took place in on October 17, 1999 in Tbilisi's Gldani district. It was led by Vasili Mkalavishvili, a priest deposed by the Georgian Orthodox Church Patriarchate, who heads what he calls the Gldani Orthodox Eparchy.¹⁷ The attack left least sixteen people injured, several seriously.¹⁸ Incredibly, the state prosecuted two of the victims, who were convicted on charges of hooliganism, whereas the perpetrators were acquitted of charges of destruction of property.¹⁹

During the trial Mkalavishvili supporters assaulted human rights defenders, a journalist, and Jehovah's Witnesses who were in attendance. Among those beaten were Giga Bokeria and Kote Vardzelashvili, both of the Liberty Institute, a Georgian nongovernmental human rights organization dedicated to defending freedom of expression. The day before, on August 16, 2000,

foreign debt and replaced by fakes. The debate over the cancellation of the exhibit's scheduled tour became a major political event in the run-up to the parliamentary elections.

¹⁵ Decision of the Chamber for Civil, Entrepreneurial, and Bankruptcy Cases of the Supreme Court of Georgia, February 22, 2001, signed by Judge M. Tsikvadze (chair), L. Gochelashvili and R. Nadiriani.

¹⁶ See Human Rights Watch, *World Report 2001: Georgia* (New York: Human Rights Watch, 2000); see also the State Department Country report on Georgia for 1999. The congregants mounted an unsuccessful civil suit against the Gldani police for violating their right to freedom of assembly. In August 1999, the Gldani District Court ruled that the police had acted properly, citing the alleged high noise level of the gathering. Human Rights Watch monitored the trial, at which Mkalavishvili's followers came out in support of police.

¹⁷ Mkalavishvili was the founder of the Church of St. George in the Gldani district. He was expelled by the Georgian Orthodox Church in 1995 for his unwillingness to abide by the Georgian Orthodox Church's ecumenical activities. He continued, however, to celebrate mass in Gldani, and joined a church that is based in Greece.

¹⁸ Human Rights Watch interviewed numerous victims of this attack. One victim, Pati Tabagkari, said she sustained injuries so severe from the beating during the attack that she was incapacitated for a month and suffered permanent damage to her left eye. See Human Rights Watch letter to Eduard Shevardnadze, September 6, 2000.

¹⁹ The Jehovah's Witnesses have filed a complaint with the European Court of Human Rights on this case.

Radio Liberty/ Radio Free Europe correspondent Sozar Subeliani was reportedly assaulted and beaten as he attempted to cover the trial. Canadian human rights lawyer John Burns, who was monitoring the trial as a representative of the Jehovah's Witnesses, also said in a written statement that he was dragged to the ground and struck with a large wooden cross after Mkalavishvili's supporters burst into the court room. They stalked and beat Jehovah's Witnesses in the months that followed, at first chiefly in the Gldani district, and then throughout Tbilisi.

At least two other assaults by Mkalavishvili and his supporters followed in 1999, and violent incidents escalated in 2000: the Jehovah's Witnesses organization claims that thirty-eight incidents took place in 2000. Mkalavishvili's followers were alleged to be involved in the majority of attacks.

In several cases, police were involved in violence against non-traditional worshippers. Twice in September 2000, police attempted to prevent Jehovah's Witnesses from mounting large conventions, and stood by idly as organized groups of people attacked those who had tried to gather; some police allegedly beat the congregants. On September 8, police stopped vehicles taking Jehovah's Witnesses to a convention in Zugdidi, and violently dispersed those who had gathered. According to the U.S. State Department, the Zugdidi incident was under investigation, but the results are unknown.²⁰

On September 16, police turned back nineteen vehicles transporting Jehovah's Witnesses to a convention in Marneuli, about twenty-five kilometers south of Tbilisi. They failed to stop mobs that descended on the convoy at the roadblock, dragged some of the congregants off the buses and beat them; some victims claimed police beat them as well. The mob looted the convention site.

Although Mkalavishvili has been indicted for interfering with religious services and violating public order (see below), he and his followers have had little to fear from law enforcement agencies, which have been notoriously unresponsive to episodes of violence and patently unwilling to protect non-traditional religious believers.

On some occasions, Mkalavishvili has given public warnings of impending attacks; in September 2000, he boasted on the popular "60 Minutes" weekly investigative reporting program, broadcast on Rustavi-2 TV, that he would break up the Marneuli assembly. In a statement broadcast on Georgian television in May 2001, after he was indicted, Mkalavishvili said that while he would no longer be directly involved in incidents against non-traditional faiths, his followers would continue to do so upon his instructions.²¹ During a live television call-in program aired on July 24, Mkalavishvili gave his "blessing to stop Jehovah's Witnesses in the street or wherever they see them, confiscate their literature and burn it in front to them," using violence if necessary.²²

²⁰ United States Department of State, Bureau of Democracy, Human Rights and Labor, *Country Reports on Human Rights Practices for 2000: Georgia*, February 2001

²¹ Statement broadcast on major Georgian television news programs, May 11, 2001.

²² Kavkazia television program, July 24, 2001.

An August 2001 BBC program cited Mkalavishvili's boasting of support from Georgia's law enforcement agencies. He said, "Thank God that among our security services and policemen there are people who are willing to help me: they realize how dangerous it is to have these sects in Georgia."²³

Human Rights Watch has a leaflet believed to originate with Mkalavishvili's group, found in Tbilisi in March 2001, that warns Jehovah's Witnesses not to gather. Such leaflets are distributed in areas where Jehovah's Witnesses plan to assemble. The leaflet reads:

*A Fatal Warning to All Sects that Defy the Holy Spirit: Temporary leader of Gldani Orthodoxy Eparchy Father Basili Mkalavishvili with his large number of followers strictly warns various sects like Jehovah's Witnesses, Evangelists, Baptists, Adventists, and Krishnaite... to stop anti-Orthodox activities in Georgia, stop satanic mass meetings against the true Orthodox faith. We call for the Georgian Orthodox nation not to let sectarian meetings take place and to actively defend our ancestors' Christian belief.
Gldani Orthodox press service.
This is the last warning.*

Escalation of Religious Violence in 2001

Given the government's poor record on prosecuting perpetrators of religious violence in 2000, and the police action taken to disrupt non-traditional activities, the rapid escalation of attacks in 2001 is unsurprising. A notable spike in the violence occurred after the Supreme Court's February 22, 2001 decision on the deregistration of Jehovah's Witnesses. According to the Jehovah's Witnesses, forty attacks took place in the first seven months of 2001, more than had occurred throughout 2000; most happened after February 22. Whereas attacks in 1999 and early 2000 were concentrated primarily in Tbilisi and its Gldani district, they later spread to other towns and rural areas of Georgia. Police were involved in some of the incidents.

Human Rights Watch interviewed twenty-two victims of eight different acts of religious violence. Mkalavishvili and his followers have been implicated in most of the attacks, but increasingly they are perpetrated by other nationalist organizations, church clergy, and simply neighbors of non-traditional congregants.

In seven cases documented by Human Rights Watch, Jehovah's Witnesses had attempted to hold small prayer meetings in private homes; in one incident they were holding a modified congress. In one attack, the assailants beat congregants with wooden clubs spiked with nails. Police in one case cleared the way for mobs to attack worshippers. In no case did police take effective action to prevent or stop the violence, or diligently to investigate it.

Attacks in Tbilisi

On February 27, five days after the Supreme Court decision upholding the deregistration of the Jehovah's Witnesses, about 300 Jehovah's Witnesses gathered at 10:00 a.m. in the courtyard of a private home in the Isani district of Tbilisi for a prayer meeting. At about 3:00 p.m., a group

²³ *Focus on Faith*, BBC World Service, August 7, 2001.

of about fifteen to twenty people led by Basili Mkalavishvili broke up the assembly, breaking into the courtyard and beating those inside. According to Rudolph Mikirtumov, a Jehovah's Witness who was at the gathering, between twenty and thirty policemen were at the scene, but instead of deterring or stopping the attack, they forced open the courtyard gates, allowing the assailants to enter the courtyard.

Mikirtumov, an unemployed tailor, told Human Rights Watch that police had told him that they came to the gathering "to protect [the Jehovah's Witnesses] from any possible incidents. At noon Rustavi2 TV showed the assembly on the news, and a bit later the police came."

At 3:00 p.m. the Jehovah's Witnesses group received a phone call from other Jehovah's Witnesses who had just left the assembly, warning the group that Mkalavishvili and his supporters were on their way to the gathering. Mikirtumov immediately warned the police and asked for help, to which one policeman reportedly replied, "We can't get beaten up instead of you." Mikirtumov then went inside the courtyard to secure the wires that held the gate closed. Several minutes later, Mkalavishvili's group arrived, but had trouble opening the gate. Three men in plainclothes then jumped over the gate, two showing police badges and saying they were officers, and the third identifying himself as an officer. One of the men bearing a badge forced the gate open, saying he needed to let other police officers in.

The attackers rushed through the gate and beat those gathered, using clubs, large crosses, and Bibles. Within thirty minutes, the house was ransacked. Mikirtumov sustained multiple injuries to his face, which required his brief hospitalization.

Mikirtumov told Human Rights Watch that instead of questioning him about the details of the attack, procuracy investigators said that local residents had been complaining about the noise level at the gathering, an allegation Mikirtumov believes was fabricated in order to intimidate and dissuade him from pursuing any complaint. They also reportedly stated that information he provided about police having forced open the gate for the attackers was "unnecessary."

One of the most vicious incidents in Tbilisi took place on April 30, 2001, when a group wielding sticks spiked with nails broke up a prayer meeting in the Svanetisubani district of Tbilisi. The attackers broke windows, furniture and electrical equipment, beat worshippers with the spiked sticks, and burned religious literature in a large bonfire on the street.

As a result, three victims were hospitalized. Among them was Tamaz Nachkebia, who sustained multiple contusions and whose head injuries required five stitches. A Human Rights Watch representative saw the open wounds to Nachkebia's left hand, right arm, left foot, as well as the bruises to his right ribcage and left cheek.²⁴

Nachkebia told Human Rights Watch what happened to him: "About ten people were beating me, I was lying on the floor and could not move." He also said that the attackers were shouting, "Hit everybody, these little snakes are sons of the devil!"²⁵

²⁴ Human Rights Watch has photographs on file of Nachkebia's wounds.

²⁵ Human Rights Watch interview, Tbilisi, May 7, 2001.

Some of the attackers wore masks that slipped off. Two eyewitnesses identified the attackers as well-known followers of Mkalavishvili.²⁶

According to an eyewitness, Zviad Dzadzamia, when the attack started one of the congregants phoned the police, who allegedly retorted, “Serves you right, why were you meeting?” According to both Dzadzamia and Nachkebia, a police squad arrived while the attack was in progress, but left without explanation. About a half hour later, another police squad arrived—by this time the assailants had fled—and asked witnesses to write statements. To our knowledge no witnesses were called for questioning, and no one has been arrested in relation to the assault.

According to Dzadzamia and Nachkebia, Jemal Gamakharia, a member of parliament from the national opposition Georgian Revival Party, witnessed the attack. When Dzadzamia asked him what he thought of what was going on, Gamakharia allegedly responded, “You deserve it; the worst is yet to come.”²⁷

On May 20, about thirty people believed by eyewitnesses to be followers of Mkalavishvili attacked about sixty people gathered to pray in an apartment in the Mukhiani district of Tbilisi. According to an eyewitness, Zaur Malania, one of the victims was a pregnant woman; another was a seventeen-year-old boy who suffered a concussion and required hospitalization.²⁸

Another eyewitness, Bakuri Biuglishvili, told Human Rights Watch that he phoned the police, saying that a robbery was in progress. Police arrived within minutes, which is highly unusual in Georgia, caught five of the assailants, took them into custody, released them from custody within a half hour, and asked nine witnesses to write statements. To our knowledge, no questioning took place. Malania told Human Rights Watch that he periodically inquires about the case, but that no criminal charges had been filed.²⁹

On June 17, a group of fifty or sixty men and women attacked a prayer meeting of eighty-six people in the Ortachala district of Tbilisi. The attackers beat the congregants, several of whom required medical treatment, and burned furniture, personal property, and religious literature on the street. Giorgi Kiknavelidze, a twenty-six-year-old economist, sustained multiple bruises and contusions, mostly to the shoulders and legs. He told Human Rights Watch that the attack seemed very well planned:

They all knew what to do; some of them searched for literature, others beat people, while others made a human gauntlet to the door and assaulted everybody who tried to escape.... The whole attack lasted about ten to fifteen minutes... An Ikarus model bus and one mini-bus were waiting outside and that’s how they [the assailants] fled.³⁰

²⁶ A core of Mkalavishvili’s followers who participate in many of the raids are sometimes shown on television: their faces are recognizable.

²⁷ Human Rights Watch interviews, Tbilisi, May 7, 2001.

²⁸ Human Rights Watch interview, Tbilisi, June 18, 2001.

²⁹ Ibid.

³⁰ Human Rights Watch interview, Tbilisi, July 4, 2001.

An eyewitness, Nana Robakidze, an unemployed veterinarian, was able to flee the violence. Her husband, who sustained several bruises to his back, went to the Ponichala police station and returned to the scene with two police officers. “The attackers were still there, getting ready to leave, but police would not act. And only when the mob left, they started asking questions, like why we were gathered, what we wanted.”³¹ Robakidze, who is thirty-one, said she was not questioned by police about the incident.

Kiknavelidze named five of the attackers, all Mkalavishvili followers, but noted that Mkalavishvili himself was not present. That evening he reported the incident to the Mtatsmindia-Krtsanisi district police. To our knowledge, no investigation is under way.

Attacks outside Tbilisi

Martvili (Western Georgia)

Two priests and their parishioners assaulted a group of Jehovah’s Witnesses on their way to a prayer meeting on the morning of June 8, 2001. Kakha Vashakidze, an unemployed economist who serves as the prayer group leader, had arrived early at the home where the prayer meeting was to take place. At about noon, four female congregants arrived, telling Vashakidze that two priests, whom Vashakidze identified by name, and their parishioners had been blocking the road leading to the prayer gathering; the crowd, according to the women, shouted insults and struck the Jehovah’s Witnesses who were attempting to pass.³²

The hostess for the prayer meeting complained immediately to the local police chief, who reportedly said that the group had no legal right to gather since they were banned, an oblique reference to the February Supreme Court ruling. Four policemen accompanied her home, to ensure that Vashakidze would leave and that the prayer meeting therefore would not take place. Police formed a cordon through which they instructed Vashakidze to leave the house. As he left, one of the priests implicated in the attack warned Vashakidze not to hold any more meetings on that street because it led to a church, which he said made it holy. “He said if we held any more meetings there he would not be responsible for the consequences,” Vashakidze told Human Rights Watch.

One week later Vashakidze returned to the police station with copies of the constitution and the Supreme Court decision, which states that deregistration of the Jehovah’s Witnesses does not mean denial of their right to gather for prayer. The police officer in charge of the case told Vashakidze to take the documents to the priest and discuss it with him. The following week, Vashakidze returned to the station for further discussions. On that occasion, the priest reportedly threatened, in the presence of the police chief, to use “Basili’s methods” (a reference to Mkalavishvili) if the Jehovah’s Witnesses attempted to hold another prayer meeting in that area on that street.

Sachkhere

In another incident involving clergy, on March 6, 2001, a group of about 150 people, which included four priests from a local parish, attacked a prayer meeting in the town of Sachkhere, about 270 kilometers northwest of Tbilisi.

³¹ Human Rights Watch interview, Tbilisi, July 4, 2001.

³² Human Rights Watch interview, Tbilisi, July 4, 2001.

Savle Gotsadze told Human Rights Watch that on March 5 he was on his way to the home of the B. family, when he saw a mob of people and the four priests, whom he recognized as being from the local parish, in their clerical garb, outside B's building.³³ The priests and several members of the crowd went to B's apartment, where they warned the family not to hold prayer meetings there, and claimed that the patriarchate had authorized them to break up any such gatherings. Gotsadze said that the laymen also struck B.

The next day, March 6, the crowd attacked the prayer gathering at B's home, breaking household items and burning religious literature. The crowd broke into another building on B's property, which had been used as the meeting room, looting the premises and burning religious literature.

Gotsadze said:

There were about 150 people led by a priest on horseback....They started to break the doors... For a moment people stopped, but then one priest cried, "What are you doing?! Why did you stop?" That's when the mob got violent. I asked them not to touch the hostess... and then I was caught and they started beating me, saying that I talk too much. I fell down and they punched and kicked me.... The hostess, Nana, also got severely beaten.

Gotsadze told Human Rights Watch that a forensic doctor examined him for injuries he sustained during the attack. While the chief of police expressed regret to Gotsadze and B. about the incident, to our knowledge, no investigation is under way.

Borjomi District

On April 1, 2001 a crowd of fifteen accosted Jehovah's Witnesses as they were returning from a prayer meeting in the village of Dviri, about 150 kilometers west of Tbilisi. Present during the assault was the village administrator, who upbraided the Jehovah's Witnesses for holding the meeting.

Boris Gogoladze told Human Rights Watch that just after the prayer meeting dispersed, as he was on his way home, a group of people drove up in separate cars.³⁴ Someone called out to him, and when Gogoladze approached, a man whom he identified by name grabbed his bookbag, hit him in the face, ripped off the strap, and began to hit other Jehovah's Witnesses who were waiting at a nearby bus stop.³⁵ The other members of the crowd observed and allegedly swore at the Jehovah's Witnesses.

The attacker then turned again on Gogoladze, striking him and seizing his religious literature. "The chief administrator of the village shouted at me, 'why are you still gathering,

³³ Human Rights Watch interview, Tbilisi, May 7, 2001. Human Rights Watch is concealing the true name of the host family for safety reasons.

³⁴ Human Rights Watch interview, Tbilisi, July 6, 2001.

³⁵ A second witness also identified the individual by name (name withheld by Human Rights Watch). Human Rights Watch interview, Tbilisi, June 6, 2001.

don't you see what happens to you?" The incident ended when the deputy administrator of the city of Borjomi told the attacker to stop.

Rustavi

On April 7, 2001 a group of about twenty people— led by Paata Bluashvili, a member of “Cross,” an ultra-orthodox organization whose explicit aim is to prevent the spread of non-traditional confessions in Georgia—broke up a prayer gathering in Rustavi, ransacking the apartment where the gathering was held, and beating those gathered and neighbors who came to their defense. The mob also seized and burned religious literature in a bonfire.

About sixty people had gathered in a private apartment in Rustavi for the prayer meeting; about ten minutes after the meeting started, the mob burst into the apartment, according to Ardoteli Kviria, an eyewitness.³⁶ Kviria then went with five other congregants to file a complaint with the Rustavi police (first precinct), who, according to Kviria, accused the Jehovah's Witnesses of violating public order by meeting in a private home. The victims were asked to write explanatory statements; to our knowledge no investigation into the attack is under way.

Another attack on a prayer meeting, held April 29, was led by the congregants' neighbors. The congregants had begun to disperse after hearing threats shouted through the door. Ilia Eterishvili said he and others had tried to escape through the windows, but that the neighbors beat them as they got outside. “They verbally and physically assaulted me for about ten minutes... they took all our bags, books, and personal belongings and made a fire right in the yard and burned everything.”³⁷

Eterishvili said he reported the incident the next day to the police, who instructed him to write an explanatory statement; no investigation followed.

The Response by Georgian Authorities

In 2001 Georgian officials at the highest level have condemned violence against non-traditional faiths, but throughout the past two years have failed to take action to stop the attacks, to discipline police and local authorities complicit in the attacks, or to protect congregants from further attacks and protect their right to freedom of religion. A March 22, 2001 presidential decree, intended to stem a new crime wave of kidnappings, attacks on foreigners, and trafficking of contraband, also addressed religious violence. Among other things, it ordered the Ministry of Internal Affairs, the General Procuracy, and the Ministry of State Security to stop crimes motivated by religion and “to take extraordinary measures to identify and punish those guilty.”³⁸ Notably, the decree's preamble cited the damage inflicted on Georgia's international reputation by the deteriorating crime situation.

³⁶ Human Rights Watch interview, Tbilisi, May 7, 2001.

³⁷ Ibid.

³⁸ Decree of the President of Georgia No. 226, On the Strengthening of the Struggle against Crime and Urgent Arrangements for the Ensuring of Public Security, March 22, 2001.

President Eduard Shevardnadze hosted a meeting of seven religious leaders on July 10, 2001 that aimed to find a common strategy for combating religious violence, and reportedly attributed the wave of violence to people's susceptibility to extremism, brought on by their poverty.³⁹

Reacting to the spike in violent incidents following its ruling upholding the deregistration of the Jehovah's Witnesses, the Georgian Supreme Court condemned the "acts of vandalism" perpetrated by Mkalavishvili "and other expressions of religious extremism and intolerance..."⁴⁰ The Supreme Court also called on "all law enforcement structures to take appropriate measures against those persons who place themselves above the law and because of religious motives take it upon themselves [to] execute 'justice.' Such acts are not only illegal, but they also create a serious danger for the public and the State." The statement denied any causal link between its February 27, 2001 decision and the escalation in religious intolerance, noting that while its ruling deregistered the Jehovah's Witnesses, it did not restrict their right to practice their faith.⁴¹ However, this aspect of the February ruling received relatively little coverage in the official or independent media, and there are many instances, including those documented by Human Rights Watch, in which local officials have cited the Supreme Court decision as justification for barring prayer gatherings and the like.

On March 30, the same day it adopted a constitutional amendment establishing a concordat between the Georgian Orthodox Church and the state, parliament adopted a resolution condemning religious violence. Also, Human Rights Ombudswoman Nana Devdariani has repeatedly condemned the violence.

While welcome, these statements came far too late and have had little impact. As of this writing, not a single perpetrator of religious violence has been successfully prosecuted. While the victims of religious violence can often identify their attackers, when police react at all to such incidents, most often they do little more than take statements from victims. As noted above, two Mkalavishvili supporters were acquitted on charges of property damage in relation to the October 17, 1999 attack. Under pressure from the international community, Georgian authorities on March 30 charged Mkalavishvili with interfering with religious services⁴² and violating public order.⁴³ The General Procuracy transferred to the Tbilisi City Procuracy ten criminal cases—encompassing seventeen violent incidents—that involve Mkalavishvili. It is unclear which incidents are at issue; the Tbilisi City Procuracy declined a request by the Liberty Institute for information on the subject, citing, inexplicably, the presumption of innocence. Mkalavishvili is currently under a restraining order not to leave the Tbilisi city limits prior to trial. He has not abided by the order, continues publicly to direct his supporters to break up religious gatherings,

³⁹ "Georgia: Religious Leaders Met Shevardnadze," Keston News Service, July 11, 2001. www.keston.org/017011GE-01.html. Accessed July 24, 2001.

⁴⁰ Statement of the Press Center of the Supreme Court of Georgia, March 15, 2001.

⁴¹ In several cases documented by Human Rights Watch, however, local officials referred to the court ruling on deregistration to justify such restrictions. See above.

⁴² Article 155 of the Georgian criminal code.

⁴³ Article 266 of the criminal code. Specifically, he is charged with organizing and participating in group activities that violate public order.

and continues to make public announcements to this effect.⁴⁴ No trial date has been scheduled in any of the cases involving Mkalavishvili.

Human Rights Watch has on several occasions requested information from the Georgian government about steps taken to bring to justice those responsible for the attacks and foster a climate of religious tolerance.⁴⁵ To date, we have received no response.

⁴⁴ In July 2001, Mkalavishvili reportedly participated in an attempted attack on Jehovah's Witnesses near Gori, about thirty-eight kilometers north of Tbilisi.

⁴⁵ See letter to Minister of Internal Affairs Kakha Targamadze and Procurator General Gia Meparishvili, June 7, 2001; letter to President Eduard Shevardnadze, March 28, 2001; and letter to Eduard Shevardnadze, September 6, 2000. The letters can be found at www.hrw.org/.