



Universal Periodic Review 51st Session – Joint Stakeholders' Report

Georgia: Freedom of Religion or Belief

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Submission by:

The World Evangelical Alliance (WEA) was founded in 1846 and is a network of churches in over 140 nations that have each formed an evangelical alliance, and over 100 international organizations joining together to give a world-wide identity, voice, and platform to more than 600 million evangelical Christians worldwide.

The European Evangelical Alliance (EEA): The EEA is an association of more than 50 European grassroots, national and transnational evangelical movements from all Protestant traditions in 35 European countries. The EEA serves as a platform for common action and a voice for Europe's 20+ million Evangelicals.

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Introduction

1. In the Third Cycle of its Universal Periodic Review, the State of Georgia supported several recommendations related to freedom of religion or belief. In particular, it supported:

148.47 Promote intercultural and interreligious dialogue and cooperation (Albania);

148.118 Continue efforts in the direction of a gradual return of the cult buildings to the religious communities that belonged to them before Sovietization, and take further measures for the preservation and restoration of such heritage (Armenia);

148.119 Continue its efforts to guarantee full enjoyment of freedom of religion or belief, in particular by persons belonging to religious minorities (Poland).

2. As noted below in this submission, Georgia has not fully implemented these recommendations. The Georgian Orthodox Church (GOC) enjoys a privileged position while minority religious communities do not enjoy the same benefits. Some minority communities have had some compensation for damages during the Soviet era and others have had no compensation. In short, Georgian government has continued, and even made worse, discrimination against religious minorities.

Georgia Constitution

3. In 1991, the Act of the Restoration of State Independence of Georgia declared its commitment to core democratic values as follows:

The Republic of Georgia, striving for a dignified position in the world community of nations, recognises and ensures equally all the fundamental rights and freedoms of individuals, including national, ethnic, religious and linguistic groups, envisaged by international law, as required by the Charter of the United Nations, the Universal Declaration of Human Rights, and international pacts and conventions.¹

4. The 1995 Constitution of Georgia confirmed freedom of religion and belief and equality for all regardless of religion; it also declared the independence of the GOC from the state (Articles 9 and 19), rendering Georgia a secular state.²
5. Yet the constitution contains the seeds of a problematic relation between religion and state in Georgia. Article 9 states, “the state recognises the special role of the Georgian Apostolic Autocephalous Orthodox Church in the history of Georgia [...]. The relationship between the State of Georgia and the Apostolic Autocephalous Orthodox Church of Georgia is determined by a constitutional agreement.”³
6. The ideology that came to replace atheism was a Georgian religious-nationalist discourse, enabled by a strong religious resurgence in the last decades of the 20th century. President Zviad Gamsakhurdia (1990-1992), in his inaugural speech, called Georgia an Orthodox Christian country with “a traditional union between church and government.” He considered all other religions a threat to Georgian morality and thus paved the way for Orthodoxy as the normative faith. This sentiment remains present in Georgian society today.⁴

7. In 2002, it was broadened in a constitutional agreement between the state and the GOC – the so-called Concordat. This document was inspired by similar agreements signed between the Vatican and other states, but it differs significantly in that the GOC is a legal entity within the state and not an independent subject of international law like the Vatican. The agreement gave the GOC political power similar to that of the secular government.
8. The main objections to the Concordat include (a) the high normative status of the text and the uniquely difficult procedure for its amendment or abolition; (b) superior legal protections and provisions given to the GOC, including tax and other benefits; and (c) the explicit authority given to the GOC to interfere in or dictate various aspects of public and social life. No such memoranda have been signed with any other religious community.
9. The enactment of this agreement facilitated a dramatic empowerment of the GOC. For more than ten years, the GOC was the only religious organisation to receive state funding. Presented as a partial compensation for damages incurred during the Soviet regime, annually increasing amounts were allocated to the GOC in the state's central budget, by local governments and even by the President's reserved fund.⁵ Although the monasteries and churches as well as ecclesial ruins and land plots were already restored to the GOC by 1990, the Georgian Patriarchate continues to receive large-scale real estate from the state on a regular basis.
10. The GOC's unique status leads to a highly problematic asymmetry when compared to that of other religious communities. Moreover, the previously mentioned restitution policy awarded the GOC religious buildings which previously belonged to other (Armenian Apostolic, Roman Catholic, Muslim) religious communities. Some of these have been seeking the restitution of their properties since 2010, without success.⁶ The country's current taxation policies add further to the asymmetry. The 2011 tax code states that religious activities cannot be considered economic activities and should therefore enjoy tax benefits. But the benefits are granted only to the GOC and its activities, not to other religious communities.⁷

Violence against religious minority groups

11. Members of religious minorities face both verbal and physical assaults and discrimination.⁸ Religiously-motivated incidents of physical violence and harassment are reported by Jehovah Witnesses, the most targeted group.⁹ Catholic and Muslim communities regularly face obstructions of their prayers by GOC priests: e.g. the Buzmareti incident.¹⁰ Religiously-motivated vandalism, obstruction of prayers and assaults are reported by Muslims¹¹, e.g. the Kobuleti Muslim school incident.¹² The long-standing needs of the Muslim community in Batumi, and the issue of the new mosque construction remains unsolved. A court action commenced in 2017 for a permit for construction is still ongoing.¹³

The State Agency on Religious Issues in independent Georgia

12. The "Georgian Dream" party, which came to power in 2012, took concrete steps towards taking control over religious policy. It established the State Agency on Religious Issues (SARI).¹⁴ Its mission is "the establishment of a coherent religious

policy based on national experience and on the requirements of modernity, serving the country to return to its rightful place in the contemporary civilized world.”¹⁵

13. SARI's influence raised suspicion among religious communities and NGOs, evoking parallels with its Soviet predecessor. The agency functions directly under the highest government authorities. The Prime Minister appoints its chairman, and SARI reports directly to the Prime Minister. This direct relation could serve religious minorities well if the agency would demonstrate strong concern for balancing religious policy in Georgia. However, it appears that SARI's policies have come to align more closely with the state's desire to monitor religious groups, especially those considered potentially dangerous.¹⁶
14. A second reason for suspicion of the agency arose from questionable decisions regarding cooperation with religious communities themselves. Rather than working with the Council of Religions, which has engaged in consultation with the government since 2005 on behalf of religious communities, SARI has set up a new Interreligious Council.¹⁷ Representation of the minority religious communities on this new council has been limited and its influence on religious policy strategy decisions has been rated as “nominal”.¹⁸
15. A third controversial development since SARI's establishment has been government funding for some minority religious communities. In 2014, the government issued the decree “On establishing rules for implementing certain measures for partial compensation of damages caused during the Soviet totalitarian regime” (Decree 117). To execute this decree, SARI selected four religious groups (Islamic, Jewish, Roman Catholic and Armenian Apostolic) as recipients of compensation. The agency stressed that the Georgian state is not a successor of the Soviet regime and therefore does not have an obligation to pay compensation, but said that this regulation aims to serve the “development, unification and peaceful co-existence of the religious communities in the country.”¹⁹ The allocations of these “compensations” are decided and monitored strictly by the agency, in contrast to the annual funding given to the GOC. Exactly what is being compensated remains unclear, as is the rationale for the financial distribution.
16. We note that other religious groups were also severely persecuted by the Soviet regime, not only these four.²⁰ The four selected confessions were then required to set up new representative organs to handle these funds. How to establish such organs was not self-evident, particularly for the pluriform Islamic community, which unsuccessfully challenged this policy in a lawsuit.²¹
17. Fourth, SARI has taken on a particular role regarding the construction, remodelling and location of religious buildings. As Georgian legislation did not have separate regulations for the construction of religious buildings, the agency took it upon itself to write recommendations for such building projects.²² This involvement has been criticized by NGOs and described as inefficient and obscure. By placing itself between religious groups and the state authorities, the agency complicated the process of obtaining building permits and added an additional layer of bureaucracy. Local authorities increasingly consider SARI's recommendation an obligatory document, requesting that the agency issue a permit at every stage of a construction project. To avoid this bureaucratic morass, religious organisations frequently conceal the real

purpose of a building in the documents they submit or register a building project through a private individual.²³

Religious Freedom Violations during Covid-19

18. During Georgia's COVID-19 state of emergency (March-May 2020), significant violations of freedom of religion or belief (FORB) occurred through discriminatory state treatment of religious communities. While most religious organizations voluntarily suspended or limited worship services to comply with health recommendations, the GOC was effectively exempted from social distancing requirements and continued holding crowded services, including Easter liturgies attended by large numbers. The state failed to provide guidance to religious communities on balancing health measures with religious rights and did not engage religious leaders in discussions about preventing virus spread while respecting FORB.²⁴ The Prime Minister's declaration that "we are an Orthodox state" explicitly demonstrated discriminatory treatment, which was further evidenced when the government granted movement exemptions only to Georgian Orthodox clergy while other religious groups faced significant restrictions. When Mirtagi Asadov, leader of Georgia's Muslim community, criticized this unequal treatment and the Prime Minister's discriminatory statement, he was summoned for questioning by the State Security Service on alleged "sabotage" charges, suggesting state intimidation of religious leaders who challenged the preferential treatment given to the dominant Orthodox Church.²⁵

Recent discriminatory legislative initiatives and practices:

19. Current practices at border crossings for cargos of the religious communities continues discrimination against religious minorities through excessive delays and requirements for Orthodox Patriarchate approval when importing religious literature.²⁶
20. In March 2023, the Georgian Parliament made amendments in the Defence Code²⁷ which created discriminatory treatment of minority religious communities regarding military service obligations. While the reform closed a legal loophole that had allowed Biblical Freedom church members to avoid conscription by becoming priests, it established an unequal religious landscape where GOC clergy remained completely exempt from both military and alternative service due to a 2002 Constitutional Agreement, while clergy from all other religious denominations were required to perform 18-month alternative service. The GOC imposed punitive measures against members of the Biblical Freedom Church of Georgia, denying them sacraments, baptisms, marriages, and even funeral rites for using Biblical Freedom certificates, demonstrating religious coercion and discrimination. The Council of Religions criticized this discriminatory exemption that privileged GOC clergy while imposing obligations on other religious groups.²⁸
21. The implementation of Georgia's Law On Transparency of Foreign Influence²⁹ (the "Agents Act") in 2024, widely regarded as seeking to restrict influence of the Russian Orthodox Church,³⁰ poses severe threats to FORB through systematic discrimination against religious minorities. It exempts the GOC from its requirements despite its connections with the Russian Orthodox Church. The law forces religious organizations receiving over 20% of their funding from foreign sources to register as entities "carrying out

the interests of a foreign power” without defining what constitutes such interests, potentially criminalizing legitimate religious activities. The legislation enables state interference in religious autonomy by permitting mandatory monitoring of religious organizations’ finances, including member donations, and requiring disclosure of personal religious affiliation information, which violates the absolute protection of *forum internum* under international human rights law and Georgia’s Constitution. The law particularly threatens religious minorities’ charitable and social activities, as most operate through separate legal entities receiving international funding that would be forced to register under the stigmatizing “foreign agent” label. Combined with the Prime Minister’s 2017 statement that religious freedom in Georgia was protected by “excessively high standards” that needed reduction, this law represents part of a broader government policy to systematically restrict religious freedom for all communities except the GOC, which maintains its privileged position.³¹

22. In March 2025, the Georgian Parliament adopted a new, more restrictive law, the Foreign Agents Registration Act ³² (FARA). The “Agents Act” applied only to organizations; the FARA also covers individuals. In addition to a fine, it carries special individual responsibility in case of violations and can result in up to 6 months to 5 years in prison.³³

Recommendations

The World Evangelical Alliance makes the following recommendations ³⁴ to the government of Georgia:

23. Review and amend all religious legislation that establishes hierarchies or grants preferential treatment to specific religious groups, to ensure equal legal recognition and protection of all religious minorities.
24. Ensure that military service deferments are granted on equal terms to clerics of all religious communities, not only to those of the Georgian Orthodox Church.
25. Reform discriminatory property and tax laws that currently favour only the Georgian Orthodox Church, by eliminating provisions that grant exclusive access to state property and tax benefits to the Orthodox Church while denying these same privileges to other religious organizations with identical legal status.
26. Repeal legislation like FARA and the Law on Transparency of Foreign Influence, which are incompatible with international human rights standards by allowing government surveillance, restrictions, and penalties on religious communities for their international connections.
27. Classify and thoroughly investigate religiously-motivated attacks using appropriate hate crime statutes.
28. Consistently grant victim status, in law and practice, to persons affected by religious hate crimes, and provide the Human Rights Department of the Ministry of Internal Affairs with actual investigative powers beyond its current monitoring role.
29. Implement training for border and customs officials on religious neutrality and human rights standards, in order to eliminate discriminatory practices at border crossings, especially concerning the importation of religious literature.

- ¹ “Act of Restoration of State Independence of Georgia.” 1991. Departments of the Supreme Council of the Republic of Georgia, 4. Available at: <https://tinyurl.com/yc7jn2dc>.
- ² Ministry of Justice of Georgia, ed. 2019. *საქართველოს კონსტიტუცია : ოფიციალური გამოცემა : (2019 წლის 4 ივნისის მდგომარეობით)* [Constitution of Georgia: Official Issue: (as of 4 June 2019)]. თბილისი: საქართველოს საკანონმდებლო მაცნე.
- ³ Ibid.
- ⁴ Narsia, Vladimir. 2018. “Church and Politics or Church in Politics: How Does the Georgian Orthodox Church Impact Georgia’s European Integration Policy? (Policy Brief - № 14).” Georgian Institute of Politics, <https://tinyurl.com/46wrrzpa>.
- ⁵ Mikeladze, Tamta, Mariam Bregadze, Eto Gvritishvili, Ketu Chutlashvili, Nino Sukhishvili, and Ketu Sartania. 2016. *Freedom of Religion – Critique of Discriminatory and Nonsecular State Policy*. Tbilisi: EMC Human Rights Education and Monitoring Center, p. 82, <https://tinyurl.com/5u8d96n4>.
- ⁶ Chkheidze, Zaal. 2014. “რელიგიური გაერთიანებების საჭიროებების კვლევა საქართველოში [Survey of the needs of religious associations in Georgia].” Tbilisi: Tolerance and Diversity Institute (TDI), p. 20.
- ⁷ Ibid, p. 80.
- ⁸ Batumi City Court on the case “Georgian Muslim Relations and Others v. the Ministry of Internal Affairs of Georgia and natural persons” (№2-540/15. 19.09.2016); The decision of the Court of Appeal of Kutaisi on the same case (No. 020332117700030054 (3/B-487-2018), 12.03.2019) and the decision of the Supreme Court of Georgia on the same case (No. As-291-275-2017, 16.06.2017).
- ⁹ State.gov.ge 2023 Report on International Religious Freedom: Georgia
- ¹⁰ TDI. 2023, <https://tdi.ge/ge/news/1063-gancxadeba-katolikeebis-uplebebis-dargvevaze>
Myth Detector. 2021, <https://mythdetector.com/en/what-happened-in-buzmareti-on-ascension-day-and-to-whom-does-the-church-belong/>.
- ¹¹ Publika. 2024, <https://publika.ge/adigenshi-sadac-muslimebi-paraskevis-locvis-shesrulebas-apireben-aqcia-imarteba/>.
- ¹² Civil.ge. 2024, <https://civil.ge/archives/187124>.
- ¹³ The Case Of The Batumi New Mosque, Social Justice Center, 28 June 2023, <https://socialjustice.org.ge/en/products/batumis-akhali-mechetis-sakme>.
- ¹⁴ Government of Georgia. 2014. “საჯარო სამართლის იურიდიული პირის - რელიგიის საკითხთა სახელმწიფო სააგენტოს შექმნისა და დებულების დამტკიცების შესახებ [On the establishment and approval of the statute of the State Agency for Religious Affairs, a legal entity under public law].” Legislative Herald of Georgia. 19 February, <https://matsne.gov.ge/ka/document/view/2253315>.
- ¹⁵ SARI. n.d. State Agency for Religious Issues. Online: <https://religion.gov.ge/en/>.
- ¹⁶ SARI. 2015. “Strategy For Development of Religious Policy of the State of Georgia.” State Agency for Religious Issues, <https://religion.geo.gov.ge/>.
- ¹⁷ SARI, n.d.
- ¹⁸ Mikeladze, p. 84.
- ¹⁹ SARI 2020, p. 98.
- ²⁰ Tolerance and Diversity Institute. 2025. “Freedom of Religion or Belief in Georgia: 2024 Report.” TDI, p. 8, https://tdi.ge/sites/default/files/tdis_forb_report_2024_eng.pdf.
- ²¹ Constitutional Complaint N750. 2016. “LEPL Supreme Religious Administration of Georgia’s All Moslems” against the Government of Georgia. Constitutional Court of Georgia.
- ²² SARI 2020.
- ²³ Mikeladze, p. 124.
- ²⁴ Gavtadze, Mariam, Chitanava Eka. 2020, GEORGIA: Religious freedom survey, October 2020, Forum18, https://www.forum18.org/archive.php?article_id=2613

²⁵ Kopaleishvili, Tatiana, “Pointing the Finger Societal Tensions During the COVID-19 Crisis in Orthodox Georgia”. Jelle Creemers and Tatiana Kopaleishvili, eds., *Religious Freedom in Times of COVID-19: a European Perspective*. ICLARS Series on Law and Religion. Routledge, 2024.

²⁶ TDI studies facts of violations of the rights of Muslim citizens at the Georgian border, March 16, 2023, <https://tdi.ge/ge/statement/tdi-sakartvelos-sazgvarze-muslimi-mokalakeebis-uplebebis-dargvevis-paktebs-savlobs>.

²⁷ Publika, 2023. “პარლამენტმა „თავდაცვის კოდექსი“ მიიღო”, <https://publika.ge/parlamentma-tavdacvis-kodeqsi-miigho/>.

²⁸ Kiliptari Luka, 2022. Explainer, Georgia’s New Defence Code, <https://civil.ge/?p=527877>

²⁹ Law of Georgia on Transparency of Foreign Influence. Document No. 4194-XIVმს-Xმპ, <https://matsne.gov.ge/en/document/view/6171895?publication=0>.

³⁰ Tolerance and Diversity Institute, p. 11.

³¹ Metreveli Archil, 2024. საქართველოს კანონი უცხოელი გავლენის გამჭვირვალობის შესახებ - შინაური გავლენა რელიგიურ უმცირესობასა და რელიგიის თავისუფლებაზე, Tolerance and Diversity Center, <https://tdi.ge/ge/page/sakartvelos-kanoni-ucxouri-gavlenis-gamchvirvalobis-shesaxeb-shinauri-gavlana-religiur>.

³² Law of Georgia Foreign Agents Registration Act. Document No. 399-IIIმს-XIმპ, <https://matsne.gov.ge/en/document/view/6461578?publication=0>.

³³ Ibid., Article 8.

³⁴ These recommendations are in line with the Ombudsman’s and Council of Religions Recommendations on Freedom of Religion and Religious Minorities, 2020, <https://civil.ge/wp-content/uploads/2020/09/CR-Recommendations-Geo-2020.pdf>.