

Protection of Freedom of Religion in Georgia

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1. Constitutional Agreement between Georgian Government and Orthodox Church

The great majority of the Georgian population (70 per cent) claims to belong to the Georgian Orthodox Church. Orthodoxy is not a State religion de Jure but the Government's ambivalent approach and constitutional agreement between the Government and the Church made it a State religion de facto.

A number of other religions have been long formed parts of the Georgian religious background, among them the Armenian Apostolic Church, the Roman Catholic Church, Judaism and Islam. There are also a small number of Lutherans and small community of Yezidi Kurds living in the country for some centuries. Since the end of the Soviet period other confessions have appeared. They are: Jehovah's Witnesses, Baptists, Seventh-Day Adventists, the New Apostolic Church, and the Word of Life Church, the Assembly of God, Baha'is and adherents of Hare Krishna.

Georgian Constitution guarantees the right to freedom of religion or belief but it also explicitly recognizes the role played by the Orthodox Church in the history of the country.

According to article 9:

The State recognizes the special importance of the Georgian Orthodox Church in Georgian history but simultaneously declares complete freedom of religious belief and confessions, as well as independence of the Church from the State.

We can't say that the constitutional agreement is in conflict with the international standards of Human Rights. It gives the Orthodox Church special status and according to the legislation constitutional agreement sits above laws and international treaties in the hierarchy of Georgian legislation.

2. Registration of the religious organizations

At present Georgia does not have any particular legislation establishing a legal status of religious communities and there is no necessity for adopting a specific law. Civil code of Georgia regulates registration procedures of private legal entities. It's very important that registration isn't a precondition for religion-based activities and the procedures are fairly simple but herewith it should be highlighted in the legislation that registration is a collective aspect of this right and therefore substantial part of freedom of religion.

3. Religious symbols and political use of religion

Unfortunately by the Georgian Government the Orthodox Church and religion is often used as a tool of political manipulation. Government officials often exhibit religious symbols at their workplaces during the public events or media relationships. Despite those facts generally Government of Georgia is promoting Freedom of Religion and Tolerance. It's exactly that ambivalent approach which we mentioned above.

4. Protection of religious freedom in Georgia

It should be noted that role of courts, Ministry of Internal affairs and Prosecutor General have became more efficient in terms of protection of freedom of religion but the most active and influential body in this field is Public defender's Office. The Public Defender of Georgia pays particular attention to the manifestations of violations of religious rights and religion-based crimes.