

## **ETHNIC MINORITIES IN GEORGIA: CURRENT SITUATION**

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Georgia is a multinational state. According to the official data of 2002 (January) census the number of population was 4,371,500 people. From here ethnic minorities make 16,2% that is twice less than in 1989.

Absence of the appropriate guarantees for the protection of national minorities allowed Russian authorities and Ossetian administration for unfair speculations on the issue of interethnic relations during conflict between Russia and Georgia. That is why solution of the problems faced by national minorities, deepening of their civil integration and participation might serve as precondition for the resolution of the given conflict in long-termed perspective.

### **Regional distribution of ethnic minorities in Georgia**

There are 5 regions of 13 with minority compact settlements in Georgia: Abkhazia, South Ossetia, Kvemo Kartli, Samtskhe-Javakheti and Kakheti. All of these five regions are transfrontier regions of Georgia bordering the states or state-entities populated by the identical compact settlements of ethnic minorities. Some of minority groups are having compact settlements or are dispersed on the inner territories of the country. These groups are: ethnic Russians, Greeks, Kurds and/or Yezidi, Assyrians, Jews, Ukrainians, Armenians and Azerbaijanis.

### **Isolation**

Isolation, insufficient development of the infrastructure and information vacuum. Despite a number of TV programmes on minority languages broadcasted through the public television, as well as a number of newspapers and journals on minority languages, the scope of information, particularly a range of different viewpoints, is not enough to form a full picture of the current events; the information is late to reach, sometimes even in a marred form, the faraway regions densely populated with ethnic minorities. As regards the infrastructure, lately with the start of the Millennium Challenge programme (financed by the US Government), communications connecting with the region compactly populated with ethnic Armenian population – Samtskhe Javakheti – is being reconstructed. Having implemented the project, there is a hope that the isolation of, at least, the population of three districts populated with ethnic minorities could be overcome.

### **Absence of efficient mechanisms of minority rights protection**

The Council of Europe Framework Convention on the Protection of Minority Rights, ratified by the Georgian parliament in 2005, is, in fact, the only mechanism in this regard. There are still many questions related to its implementation, reservations to the Convention, as well as the definition of the term "National Minorities in Georgia". It should be also mentioned that there is no complete legislative base protecting languages and culture of the national minorities, their social and civil integration.

There is necessity of the improvement of national Criminal, Administrative and Civil legislation, which allow to provide adequate prevention and qualification of the of the ethnic discrimination and intolerance.

There is still a certain feeling of skepticism within the Georgian government about adoption of the special law focused on minority rights protection. Necessity of its adoption has been also underlined by the Final Report of the OSCE/ODIHR about Parliamentary Elections in Georgia.

### **Institutional machinery**

Nevertheless there are several institutions responsible for the protection of ethnic minorities, in particular State Minister on Civil Integration, Office of the Public Defender, Parliamentary Committee on Human Rights and Civil Integration, Council on Ethnic Minority Issues attached to the President of Georgia, Advisors of President of Georgia on Interethnic Relations, absence of coordination between these bodies, as well as between them and civil society undermines their activities.

There is no also institutional machinery for the combating of the ethnic discrimination and intolerance. Necessity of its creation has been underlined by ECRI in its Second Periodic Report on Georgia, General Policy Recommendation #7 on the issue of national legislations in the field of combating of racism and intolerance, General Policy recommendation #2 on the issue of special bodies on combating racism, xenophobia, anti-Semitism and intolerance at the national level. International practice prescribes establishment of such institutions within functioning institutional system or in capacity of the independent authorized body.

### **Citizens' participation of the ethnic minorities**

The genuine participation of ethnic minorities is especially low (though their formal turnout in elections is relatively high). Situation with regard to the political participation of the minorities in general and in the elections in particular is still very poor and complicated. It is first of all caused by the general underprivileged conditions of the minorities, their isolation from the major political processes and low level of legal literacy.

Senior government posts tend to be occupied by ethnic Georgians, and there is a firm perception of ethnic discrimination in personnel appointments, especially in law enforcement agencies. Political representation is also an issue, both on national and local levels. Georgia's single-chamber parliament does not provide any special arrangements for the representation of minorities. Minorities are represented by only eight members in the 150 member-strong Parliament<sup>1</sup>. As not all of these MPs understand Georgian perfectly, it is unclear how they participate in parliamentary legislative work. Also problematic has been the government's practice of appointing judges and administrators who speak only Georgian in minority-populated areas. Locals complain that this system leads to unfair treatment and court decisions.

### **Education**

Educational reforms carried out recently are very important and significant as commitment of the state to ensure integration of the minorities. In the meantime, as far as education appears to be the core problem in the scope of the difficulties faced by minorities and in the meantime as a corner stone of the successful civil integration, educational reform should be designed and implemented in a way corresponding to the needs of the minority communities. In the meantime we should separately assess different actions within the state educational reform: those of general character and those directly aimed at civil integration, as far as their impact is almost divergent. On the one hand language policy was toughened by the new system of the enter exams to the high educational establishments and by the elimination of the Russian sector in the high educational establishments, on the other hand certain efforts have been made in order to provide for intensive learning of the state language in the regions with compact settlement of the ethnic minorities.

One more concern with regard to education is lack of multicultural approach, caused by gap in the professional training of teachers, who are not familiar with techniques of the multicultural education. The same refers to the school text-books (i.e. history and geography) which sometimes serve as a source of the inflammation of interethnic hatred and contain intolerant phraseology.

### **Religious Minorities**

The right to freedom of thought, conscience and religion of the minorities is violated by the absence of the Law on Religious Organizations). Religious minorities are subjected to the direct and indirect discrimination; in particular their religious organizations are not entities of public law and can be registered only as associations and funds (i.e. NGOs), which does not allow for appropriate self-identification and gaining of the appropriate status by the religious groups. It is also causes difficulties in worshipping, as far as not being public law entities religious organizations (e.g. Armenian Apostolic Church) can not conduct certain transactions, namely import devotional articles.

Given fact is reflection of the Georgian state policy, which prevents recognizing of the religious and ethno-confessional groups and their legal status, which subject them to the inadequate conditions in

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<sup>1</sup> "Armenian and Azeri Minorities in Georgia" Crisis Group Report; "Minorities in the South Caucasus: factor of the instability?" PACE Discussion Paper

comparison with Georgian Orthodox Church, which on the basis for the Constitutional Agreement<sup>2</sup> enjoys certain privileges. One of the privileges is legal status of the given group as religious community.

### **Concluding remarks**

Basing on all mentioned above we can see clear necessity of the creation of the legal environment and institutional machinery for the protection of ethnic minorities, especially guarantees for their equal participation in the social and political life. Given mechanism should prescribe direct involvement of the ethnic minority representatives at the all stages of its functioning and planning of their activities. Work of the institutional machinery should be well-coordinated and be based on the number of the specific programs focused on the different aspects of civil integration. Work focused on creation of the common informational space and awareness rising for the minorities and majority should be priority and promote development of tolerance in the society.

### **Recommendations**

1. Employ mandate of the High Commissioner on National Minorities for the timely investigation of the facts and allegations in the ethnic discrimination and ethnic-driven violence in the zone of the Georgian-Ossetian conflict, as well as to provide protection of the representatives of the all ethnic groups residing on the territories, which are not controlled by the central authority of Georgia.
2. Unite efforts of the High Commissioner, respected departments of the OSCE/ODIHR and Mission of OSCE to Georgia for the support (including technical assistance) in creation of legal and institutional environment for the protection of the national minorities and deepening of their civil integration in line with their involvement in decision making process, including conflict resolution process.
3. Undertake measures on monitoring of implementation of the OSCE recommendations for the effective participation of national minorities in the electoral process including OSCE/ODIHR Final Report about Parliamentary Elections in Georgia.

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<sup>2</sup> Concordat (agreement) between the Georgian Orthodox Church and Parliament of Georgia, which provides privileges to the Orthodox Church in the different spheres and by its own existence provides for the direct support of the state to the one religious organization.