



Deradicalization and Integration Legal & Policy Framework in Georgia

Country Report

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List of Abbreviations

ERCI	European Commission against Racism and Intolerance
GOC	Georgian Orthodox Church
ISIS	Islamic State of Iraq and Syria
PD	Public Defender
SARI	State Agency for Religious Issues
TDI	Tolerance and Diversity Institute

About the Project

D.Rad is a comparative study of radicalization and polarization in Europe and beyond. It aims to identify the actors, networks, and wider social contexts driving radicalization, particularly among young people in urban and peri-urban areas. D.Rad conceptualises this through the I-GAP spectrum (injustice-grievance-alienation-polarization) with the goal of moving towards measurable evaluations of de-radicalization programmes. Our intention is to identify the building blocks of radicalization of individuals, which include a sense of being victimised, a sense of being thwarted or lacking agency in established legal and political structures and the influence of “us vs them” identity formulations.

D.Rad benefits from an exceptionally broad base. The project spans the national scene in countries ranging from the UK, France, Italy, Germany, Poland, Hungary, Finland, Slovenia, Bosnia, Serbia, Kosovo, Israel, Iraq, Jordan, Turkey, Georgia and Austria to several minority nationalisms. It bridges academic disciplines ranging from political science and cultural studies to social psychology and artificial intelligence. Dissemination methods include D.Rad labs, D.Rad hubs, policy papers, academic workshops, visual outputs and digital galleries. As such, D.Rad establishes a rigorous foundation from which to test practical interventions geared to prevention, inclusion and de-radicalization.

With the possibility of capturing the trajectories of seventeen nations and several minority nations, the project will provide a unique evidence base for the comparative analysis of law and policy as nation states adapt to new security challenges. The process of mapping the situation in this diverse group and the links to national contexts will be crucial in uncovering the strengths and weaknesses in existing interventions. Furthermore, D.Rad encounters the problem that the processes of radicalisation often occur in circumstances that escape the control and scrutiny of traditional national frameworks of justice. The participation of AI professionals in modelling, analysing and devising solutions to online radicalization will be central to the project's aims.

Executive Summary

This report analyzes legal and policy frameworks for deradicalization and integration in Georgia. It unpacks the existing laws and policies, addressing the issues of radicalization, identifies major gaps and flaws and provides policy-relevant recommendations on how to improve legal and policy frameworks. After providing a brief contextual and historical overview of radicalization and deradicalization policies and practices in Georgia, the report focuses on two particular case studies of attempted deradicalization by the Georgian state authorities: the government's policy response to Islamist radicalization in the Pankisi Gorge and radicalization motivated by Orthodox Christian fundamentalists.

Overall, formally Georgia remains a secular state with a legislation and a constitution guaranteeing equality and the same rights for everyone. However, the report also identified some worrying trends in the deradicalization legal and policy frameworks of Georgia and their practical application by the state authorities. The state authorities often tend to securitize minority issues. This often leads to a less inclusive minority policy leaving space open for radicalization of religious minorities in Pankisi Gorge and other regions. On the other hand, the Georgian Orthodox Church (GOC) enjoys asymmetric advantages in many areas of social and public life. While the GOC formally remains loyal to Georgia's Europeanization and democratic development, a section of the clergy also holds radical views and incite violence against sexual minorities among their supporters.

Two case studies and other examples explored in this report indicate that Georgia's policy framework for deradicalization seems to be both conceptually and practically underdeveloped. It lacks coherence, consistency and any inclusive agenda agreed upon in participation with all important stakeholders. The policies designed by the government are usually patchy, ad hoc and lack strategic thinking. Instead, what Georgia needs is a comprehensive deradicalization strategy to strengthen the country's resilience against present and future threats of radicalization. Even though the country is not exposed to any major radicalization threat now, new risks may emerge in the foreseeable future.

Introduction

The aim of this report is to examine existing laws and policies addressing the issues of radicalization in Georgia and to pinpoint their most critical aspects and best practices in order to help the development of evidence-based policy and legal guidelines. Thus, this report engages not only with descriptive and explanatory analysis of these issues but also aims at producing assessment and policy-oriented output.

The report starts with a general overview of the socio-economic, political, and cultural context of radicalization in Georgia and includes a brief description of several aspects of society (economic inequality, level of unemployment, demographic characteristics etc.). Next, the report discusses the constitutional organization of the state with a particular focus on state-Church relations and the special status the Georgian Orthodox Church enjoys in the second republic of Georgia. Afterwards, it engages with the existing legislative and institutional framework to address radicalization in Georgia and discusses its effectiveness based not only on desk research, but also on three interviews conducted specifically for this report. Last but not least, this report analyses in detail two cases of attempted deradicalization - "attempted" as the state's program and policies in this direction remain weak and underdeveloped or in some cases do not exist at all. As the case studies illustrate, deradicalization usually involves an ad hoc response to an incident and consists of negotiation between the parties, mediated by the authorities. The focus of the first in-depth case study is Pankisi Gorge, which is populated mostly by Muslims, and government's practices in this region, while the second case study is of the State Agency on Religious Issues (SARI) and special programs/trainings developed for media, clergymen and students by this institution.

The data comes mostly from desk research conducted specifically for this report, as well as from three interviews with people who have relevant knowledge and working experience in this field.

The socio-economic, political and cultural context

Georgia is multi-ethnic country. The population census from 2014 suggest that out of a population of 3, 713, 804, ethnic Georgian's account for 86,8%, Azerbaijanis 6,3% and ethnic Armenians 4,5% (Geostat, 2016, 8). However, the ethnicity of Georgians is almost exclusively defined by their membership of a very specific branch of Christianity. According to the census (ibid, 9) more than 83% identify as Orthodox Christians, in comparison to 10,7 % as Muslims, 2,9% belonging to the Armenian Apostolic Church and only 0,5% identifying as Catholics. These numbers indicated the prevalence of membership of the Georgian Orthodox Church (GOC) and the special status it has in the country, either formally or informally.

The relationship between the Georgian Orthodox Church and the state has been the subject of a special constitutional agreement between the two since 2002 (Sakartvelos Sakanondeblo Matsne, 2002) and gives the Church tax exemption and provides substantial state support, either financially or in terms of acquiring land and buildings

(Ghvtadze et al., 2020, pp. 58-65). It has been only since 2014 that other religious communities (Islamic, Jewish, Armenian Apostolic, and Catholics) have started to receive state support as compensation for the damage suffered under Soviet occupation¹ (the GOC has been receiving this since the early 2000s) (Nozadze, 2014). There is an ongoing case in the Constitutional Court of Georgia with several religious organizations suing the Parliament of Georgia because, unlike the GOC, they have to pay an extra tax for importing items used for religious purposes (ssip' "sakartelos sakharebis rts'menis ek'lesia", aaip' "kartvel muslimta k'avshiri" da skhvebi sakartvelos p'arlament'is ts'inaagmdeg (2021) CCG N1593).).

Such a discriminatory and unequal approach from the state institutions has led to increasing influence for the Georgian Orthodox Church and in several instances, it has openly clashed with the government. For instance, the 17th of May 2013 incident, when clergymen actively called on the state not to let the LGBTQI activists hold flash mobs ended up in a violent attack on the latter (Civil.ge, 2013), the GOC's opposition to the anti-discrimination bill² in 2014 and in influencing parliament on if to proceed in 2018 with a bill on whether or not to control marijuana cultivation. (Ghvtadze et al., 2020). Such a dominant and influential role for the Georgian Orthodox Church creates dangers of alienation and radicalization of other ethnic, religious and social groups.

Ethnic minorities in Georgia usually live together in the regions as communities and their assimilation/integration into Georgian society remains an important challenge. The former State Minister for Reconciliation and Civic Equality, Paata Zakareishvili, in an interview with the Georgian Public Broadcaster, remarked that lack of integration and equality was indeed an issue, and it was not by accident that he added "Civic Equality" to the name of the ministry, which was until 2014 known as the Ministry for Reintegration (Georgian Public Broadcaster, 2021). Reconciliation similar to Reintegration before that, was aimed mostly at two occupied territories and internally displaced persons (IDPs) rather than issues of civic equality and ethnic or religious minorities.

These challenges are further aggravated by a low level of urbanization and a high level of economic inequality. According to the Georgian statistics office, by 2014 the division between urban and rural population was 57,2% and 42,8% respectively (Geostat, 2016, 2). In comparison to the European Union that is quite low. For instance, according to the World Bank (2018) urbanization in the EU is 74,7% in comparison to Georgia's 59%.

Additional factors that need to be taken into consideration when analyzing the case of Georgia are economic inequality and high levels of poverty and unemployment. Despite an impressive rate of economic growth after the Rose Revolution in 2003³, by

¹ Under the Soviet occupation Georgia's religious communities lost their religious and non-religious properties (buildings, cemeteries, schools, lands, etc.). After the collapse of the USSR only some parts of this property remained partially or fully preserved. The rest were either demolished/destroyed or used for other purposes. Since then the issue of restitution remains unresolved. For more information see TDI report from 2020 on restitution policy <http://ewmi-prolog.org/images/files/8528restitutionpolicyingeorgiaeng.pdf>

² The bill was meant to address discrimination based on gender identity or sexual orientation. Wording which caused waves of protest from conservative groups and majority of the Orthodox clergymen

³ After the Rose Revolution Georgia went through drastic reforms that eradicated corruption and considerably strengthened state institutions. In 2007 Georgia's economic growth reached 12,6% and probably would have

2011 Georgia remained the most unequal country in terms of income distribution among the former USSR members (Livny and Labadze 2012). Such a high level of unequal GDP distribution amongst the population creates great potential for unleashing cycles of violence and poses a challenge to the existing political order (ibid). The unemployment rate, according to the World Bank, in 2020 just before the effects of the COVID-19 pandemic took its toll, was around 12% (World Bank, 2021).

One important aspect that needs to be mentioned in the context of potential sources and the history of radicalization is the fact that the state security services of Georgia have continuously viewed Muslim minorities as potential threats and have even been involved in the selection of their religious leader (mufti) in order to have the community under control (Lortkiphanidze, 2019). Additionally, there is no Muslim clerical educational institution in Georgia where they can pursue their education, thus local religious leaders of Muslim communities end up not only with knowledge of Islam that is devoid of Georgian cultural context, but they do not manage to learn the Georgian language or Constitution (GPB, 2021).

A final point that is relevant in this context is the general low level of trust in state institutions in Georgia in comparison to the extremely high level of trust in the Georgian Orthodox Church. Trust in the executive government in 2019 stood at 21%, for the parliament at 15%, and for political parties just 8%, while trust in the religious institutions has been consistently above 80% - the exceptions in 2017 and 2019 being 70% and 71% respectively (Caucasus Barometer 2019b, 2019c, 2019d).

To conclude, the key cultural, social, and economic factors are the dominance of Orthodox Christian Church and its special status in the state; perception of the Muslim minorities by the state security services as a potential threat and latter's involvement in the clerical affairs of the community; low trust in the state institutions; high level of income inequality, employment rate and poverty.

The constitutional organization of the state and constitutional principles on D.Rad field of analysis

Georgia is a parliamentary republic with while the President is elected indirectly and holds mostly ceremonial power. However, until 2013 Georgia was a presidential republic with a considerable power concentrated in hands of the president. Yet, despite what was the system in place, constitutionally Georgia always was and is a secular country. The 11th and 16th Articles of the Constitution recognize equality before the law regardless of religious affiliation, and guarantee protection of freedom of faith. Additionally, the legislative document includes Article 8 that recognizes the special role of the Georgian Orthodox Church in the history of Georgia⁴, yet it in no way gives any privilege or special right to this particular clerical institution (Ghvtadze et al.,

kept going if not 2008 Russian invasion and global financial crisis. For more see <https://forbes.ge/the-economic-history-of-independent-georgia/>

⁴ Historically, until the Russian Empire annexed the Caucasus, Georgian kingdoms were involved in fight against non-Christian invaders (Arabs, Persians, Mongols, Ottomans) and the Orthodox Christianity played important role as a marker of national identity

2020, 24-25). The history of the special status of the GOC in legislation dates back to 2001 when Article 9 of the constitution in force at that time was amended and the new version stated that the relationship between the GOC and the state was to be regulated by constitutional agreement. The latter was adopted in 2002 and gave a whole range of privileges to the Georgian Orthodox Church. It was recognized as a subject of public law, a status no other religious organization enjoyed at that time; the state took responsibility for assisting with the establishment of priests in the army and prisons, it provided immunity to the Patriarch, exempted clergymen from compulsory military service as well as recognizing the property rights of the GOC on all the lands, buildings and ruins of the Orthodox Christian monasteries and churches in Georgia and declared all non-economic activities of the GOC non-taxable. No other religious community in Georgia has enjoyed similar privileges (ibid, 25-26). Only in 2011 did they manage to acquire the right to be registered as subjects of the public law as well, despite significant opposition and protests from the GOC and its followers. However, the existence of a constitutional agreement does not per se imply discrimination of other religious communities: Georgia is close to a cooperative model of secularism where (in contrast to liberal secularism) state support of a particular religion is a common practice (cf. Fox 2005). It is important to analyze to what extent freedom of religion of other religious communities is institutionally guaranteed and here we can observe significant gaps.

Still, the dominant position of the GOC leads to the forming of a vicious circle in which the ruling party is dependent on increasing support from the Church in order to perform well in the election, while on the other hand it has to compromise more on principles of secularity and equality. For instance, in 2020, when the first nationwide restrictions on population's movements due to the coronavirus were introduced in Georgia, the GOC held Easter services and defied most of the legal regulations (Civil.ge, 2020). Similarly, when the curfew was re-introduced at the end of November 2020, the 6th of January (Orthodox Christmas Eve) was officially announced as an exception to the rule. This meant that other Christian churches celebrating Christmas in December were unable to perform Christmas Eve services (Radio Liberty, 2021). All these, in spite of the fact that the Constitutional Court of Georgia in 2018 interpreted the law as acknowledging that the special role of the GOC should in no way be used as a way of granting it any special privileges or different treatment from any other religious institutions (Ghavitadze et al., 2020, p. 28). Any such bias towards Orthodox Christianity would obviously incur the danger of alienating other minorities, making them susceptible to radical ideologies creating a means for them to achieve their goals.

This sense of alienation and discrimination due to the state favor for the GOC is further increased by instances of the latter's interference and influence on the legislative process. (This includes the amendment to the proposed reform of self-governing municipalities in 2013, removal of terms "gender" "minority", and "tolerance" from the school subject "society and me" proposed in 2016 by the Ministry of Education of

Georgia, and in 2018 the withdrawal of the bill on regulation of the cultivation of marijuana from parliament after pressure from the GOC, to mention just a few examples.) (ibid, pp. 29-31)). In addition, Orthodox priests manage to get away with criminal acts even if these are documented - for instance, in May 2013 when LGBTQI activists were violently attacked by a mob organized and led by priests, none of the latter were prosecuted as the Tbilisi City Court argued it had not found sufficient evidence (ibid, 31).

These facts stand in stark contrast to the state's approach to other religious minorities, especially the Muslim communities where state security services have actively intervened and influenced the choice of spiritual leaders (Kveliashvili, 2019). The TDI report from 2020 (pp. 54-55) also argues that religious minorities face discrimination on the border, as well. For instance, although this is against the law, in order to import clerical literature, they are required to ask for permission from the GOC or are asked to pay a tax, even though books are nontaxable.

To conclude this part, although constitutionally Georgia is a secular country and the main legislative body of the country recognizes equality before the law for all religious communities, in practice this is not the case. Relations with the GOC are regulated by special agreement with the state and the former enjoys a whole range of privileges. The Orthodox Church enjoys positive discrimination by the government in many instances and has a significant influence on the state's decision-making processes. Such asymmetrical relations between the state and the GOC creates the potential for alienation and radicalization of other religious communities. This is especially the case for the Muslim population, which has no possibility of pursuing a clerical education in Georgia and thus has to go to Saudi Arabia, Egypt, or Turkey and learn an interpretation of Islam that is devoid of local Georgian culture. According to Mikeladze⁵, when interviewed for this report, this does not necessarily contribute to radicalization, but is definitely the source of alienation.

The relevant legislative framework in the field of radicalization

The Georgian legislative framework gives priority to freedom of expression over the issues of religious feelings and sentiments. All the interviewees for this report remarked that the model currently applied in Georgia is closer to the American rather than European approach and allows for wider interpretation of what falls under freedom of expression. Georgian legislation on hate speech and freedom of expression is modeled on the American counterpart and is founded on the concept of

⁵ Tamta Mikeladze, Social Justice Center, interviewed with authors, 11 May 2021, Tbilisi.

the “free marketplace of ideas”^{6 7}. Hate speech is somewhat “softly” regulated in the media via internal regulatory mechanisms, which are often ignored, and such relatively open space for freedom of expression contributes to a certain extent to facilitating the emergence and public spreading of radical ideas. (ibid). Regulations in place are so light, that a far-right media channel that was blocked on Facebook due to violation of community standards, could launch on a Georgian TV channel. “Alt Info”, as it is called, whose message is ‘*Stay tuned. Don’t switch to the liberast⁸ channels*’, is available to 340 000 subscribers on the internet television provider Magticom (Kinchka, 2021). Guests appearing frequently on this channel include Levan Vasadze, an ultraconservative campaigner and businessman often seen among the leaders of violent attacks against sexual minorities. During one such interview, he told Alt Info that the storming of the Capitol in Washington was orchestrated by Trump’s ‘globalist’ enemies (ibid).

Gogvadze, the head of the Georgian Center for Security and Development, remarked⁹ that existing legislation can be divided into two parts. The one which deals with radicalization that leads to terrorism and extremism is quite harshly punished by the law. On the other hand, there is no single conceptual approach to non-extremist radicalization and it is regulated by different clauses that are spread across legislative documents. Such harsh laws on terrorism itself lead to problems when the state needs to address fighters and their family members returning from Syria and Iraq. As the existing approach is closer to the American than to its European counterpart, they are being treated harshly, and end up going straight to jail.¹⁰ Utiashvili¹¹, the former head of the Analytical Department at the Ministry of the Internal Affairs of Georgia, in an interview for this report, remarked that the only existing legislation that regulates radicalization in the country is imprisonment of those who go abroad to join radical organizations and fight on their side. However, he did not support any further tightening of laws in this direction, especially regarding hate speech since it could be abused by the authorities to silence the opposition and critical voices.

Up until 2017 the Georgian constitution included only one pretext for limiting the freedom of religion and belief and that was if this freedom inhibited somebody else’s liberties. However, amendments initiated in 2017 proposed the addition of six exceptions when freedom of religion could be constrained, three of which (state

⁶ Rationale for freedom of expression that is modeled on the economic concept of a free market and that the truth will eventually emerge through the free and transparent exchange of ideas

⁷ Ibid.

⁸ a term made up of combining words ‘liberal’ and ‘pedarast’ (slur word used for gay men) and is often encountered in Russian anti-liberal discourse

⁹ Giorgi Gogvadze, Georgian Center for Security and Development, interviewed with authors, 19 March 2021, Tbilisi.

¹⁰ Ibid.

¹¹ Shota Utiashvili, Georgian Foundation for Strategic and International Studies, interviewed with authors, 23 March 2021, Tbilisi.

security, avoiding possible crime, and execution of justice)¹² were especially problematic and created a danger of the state actively intervening in the freedoms of religious communities. Eventually, after criticism from the Venice Commission and local watchdogs, the ruling party in 2018 amended the Constitution and removed these problematic points. The clauses were formulated so that the only exceptions for limiting religious freedoms were those measures necessary in a democratic society for security, health or protection of other's rights. (Ghavitadze et al., 2020, pp. 73-74). Between the years 2013-2018 there were several attempts to criminalize offending the religious feelings of others. In 2013 the Ministry of Internal Affairs of Georgia proposed a bill to the Parliament which was recalled after criticism from local watchdogs and the religious council at the Public Defenders' Office of Georgia. In 2015, an MP from the ruling party proposed the introduction of fines for offending religious feelings, and in 2018 an MP from the opposition party the Alliance of Patriots, submitted a bill criminalizing such actions. However none of these attempts made it through the Parliament (ibid, pp. 81-83), thus, Georgian legislation remains extremely liberal in terms of freedom of expression.

Legislation addressing racially/ethnically/religiously etc. motivated crimes, was only introduced in 2012, when the Georgian Criminal Code added religious, racial, ethnic, homophobic or transphobic intolerance as an aggravating factor in committing a crime. However, the courts continue as much as possible to avoid using this legislation and in most of the verdicts do not consider aggravating factor, despite calls from the international community and the local human rights' watchdogs (The Council of Europe's the Committee of Ministers calling the government on Georgia in 2019, just to name one) (Ghavitadze et al., 2020, p. 103).

Two important decisions were made by the Constitutional Court of Georgia on July 3rd, 2018. The first found discriminatory the practice of the Georgian Orthodox Church alone being exempt from taxes when importing literature, or building churches, while the second decision argued that it was discriminatory towards other religious communities that only the Georgian Orthodox Church was able to acquire estates for free from the state (Ghavitadze et al., 2020, p. 85). These decisions, at least formally, recognized the problematic nature of state-Church relations in Georgia.

Finally, there were few cases of court rulings that set important legal precedents for Georgia's legislative framework. In the court case of *Identoba and Others v. Georgia* the European Court of Human Rights' (ECtHR) ruled that „the police's failure to protect those participating in the International Day Against Homophobia and Transphobia (IDAHOT) march in Tbilisi, Georgia in 2012 violated the European Convention on Human Rights“ (Amnesty International, 2015, p.1). The court ruled, among others, the violation of the applicants' rights under Article 3 (prohibition of inhuman or degrading treatment) and Article 11 (freedom of assembly) of the Convention' (ibid). The ECtHR

¹² The rest of the exceptions were protection of one's health, public safety, and protection of others' rights

also underlined the presence of “clearly homophobic hate speech” and called upon the authorities, public actors, and community leaders “to send an unambiguous message in favour of human rights and tolerance, and against violence, hate speech and discrimination” (EctHR 2015, p.9, 21) On another occasion, Constitutional Court of Georgia declared the ban on homosexual men donating blood unconstitutional (OC Media, 2017). The ban on blood donation for gay men was introduced by Georgia’s Health Minister in 2000 (ibid).

To summarize, Georgian legislation in terms of hate speech, either in the media or publicly, is very liberal and reacts only if there is an immediate threat of violence or attack.

Relevant policy and institutional frameworks in the field of radicalization

In an interview with the Georgian Public Broadcaster in May of 2021, the former State Minister of Georgia for Reconciliation and Civic Equality remarked that inclusion and integration of ethnic and religious minorities in Georgian society remained a challenge that needed to be addressed (GPB 2021). This is especially an issue with Muslim minorities, which are being perceived as a potential security threat and are under constant scrutiny by the security services rather than the issues related to them being perceived as the sphere of politics (ibid). On the other hand, despite this, state strategy and policies towards these communities remain underdeveloped and consist mostly of ad hoc responses or short-term programs (promotion of military service among the youth of Pankisi Gorge or seminars on tolerance for media, students, and priests. Just to mention few). Only in 2015 did the Georgian government adopt a state strategy for protecting the cultural identities of minorities, ensuring their inclusion in the political life of the country. The document, outlining the goals of this strategy, was intended to increase access to education for ethnic minorities, and increase their knowledge of the Georgian language (State Strategy for Civic Equality and Integration for 2015-2020, 2015, p. 8).

When ISIS started gaining grounds in Iraq and Syria several young men left Pankisi Gorge¹³ to join the Islamic State. At first, the Georgian authorities did nothing to intervene – in fact, the opposite, actually facilitated the process of “getting rid” of radicals from the country. According to Utiashvili,¹⁴ the state’s approach was to let them leave and get killed, if that was what they wanted. Only after the United States pressured officials in Tbilisi were some measures taken. These measures included

¹³ Pankisi Gorge is a region populated by ethnic Kists who are related to Chechens and has been under the special focus of the security services and the media after the so-called Second Chechen War, when refugees from Chechnya found shelter in the gorge.

¹⁴ Shota Utiashvili, Georgian Foundation for Strategic and International Studies, interviewed with authors, 23 March 2021, Tbilisi.

amending the legislation and introducing nine years of imprisonment for those joining ISIS or similar organizations abroad.

On the other hand, there are a couple of institutions established by the state recently that were meant to address the potential pitfalls and sources of radicalization. The first that should be mentioned is the State Agency for Religious Issues (SARI) established in 2014. The head of this agency is directly subordinated to the Prime Minister and, as some experts argue, instead of protection and guarantee of freedom of religion, it created the potential threat of increased state control on minority religious communities. Additionally, no representatives of these groups were involved in the process of the establishment of the agency, thus it failed to include the real interests and needs of those communities (Ghavitadze et al., 2020, p. 37). The strategy for the state's religious policy published by the agency in 2015 puts the emphasis on security and clearly hints at the control of these communities rather than at the protection of their rights (ibid, 38). According to the reports on their activities published by the agency, it has been conducting regular training on religious freedoms and tolerance for several target groups that include students, media representatives, clergymen etc. (Annual Report, 20-21). To increase inter-religious awareness, SARI prints inter-religious calendars and other publications on religion/state relations and secularism. The agency has also established the tradition of commemorating the Day of Tolerance, with one of the religious communities organizing a reception for the others. The agency also hosts an inter-religious council consisting of almost all the religious communities in Georgia and addresses issues concerning religious educational institutions, conferences to be organized, and partnerships with other institutions (ibid, pp. 34-35).

Similarly, in order to address possible sources of radicalization driven by religious and ethnic intolerance, the Public Defender's Office had by 2006 established the Tolerance Center. The purpose of this institution is to support the former by developing policies against discrimination and fostering civic integration. The Tolerance Center lists on its website the protecting of minority rights, supporting the integration of minorities through regular monitoring of key situations in Georgia, as well as identifying threats and dangers caused by intolerance, xenophobia and discrimination among its goals (Tolerance Center, n.d.). The Tolerance Centre holds conferences, discussions and seminars, and produces publications on these topics. Tolerance Centre reports are included in the Public Defender's addresses to Parliament, and furthermore it coordinates projects and events organized by the Religion and National Minorities Councils under the auspices of the Public Defender.

In 2018 the Ministry of Internal Affairs of Georgia established a special department to monitor human rights' protection. The special focus of the department is ensuring an effective response to crimes motivated by intolerance. However, it includes only the form of recommendations and does not have any actual investigatory functions.

Hence, it meets only partially what the European Commission against Racism and Intolerance (ECRI) asks from Georgia (Ghavitadze et al., 2020, p. 103).

Additionally, there are several civil society organizations that work in this direction. For example, “*Promoting Integration, Tolerance and Awareness*” that is run by the United Nations’ Association of Georgia and aims at enhancing ...at enhancing the performance of government institutions in managing the implementation of the policy of civic integration, and supports the establishment of direct lines of communication between the Government of Georgia and minority communities

To conclude this section of the report, the relevant policies and programs in the field of radicalization remain weak and underdeveloped. Punishment under the law regarding joining radical organizations abroad is harsh, yet there is no institutional framework that could address issues of extremism on a long-term perspective. As two case studies analyzed in the next section illustrate, the approach from the authorities remains superficial and sporadic, without any conceptual framework.

Case studies

This section of the report is focused on two case studies of counter-radicalization attempts in Georgia. However, before the concrete policies and programs are analyzed, the broader context and significance of these particular cases need to be explained.

Pankisi Gorge

Pankisi is a gorge located in Eastern Georgia and borders the North Caucasus. It is the home of Kists - an ethnic group related to the Chechens. The gorge became the subject of international media attention after the so-called second Chechen War when the Russian military started an assault on Chechnya. Under pressure from Russian forces rebels crossed into Georgia and settled in Pankisi Gorge along with their kinfolk, the Kists, who have been living in this region for a couple of centuries. By the early 2000s Chechen partisans hiding in the region were reported to number several hundred, causing the Pankisi radicalization issue to be imported from Chechnya (Cecire, 2015, p. 1). Chechen rebels have since left the region, yet the problem of radicalization still persists in Pankisi. As of 2015, for instance, 30-50 militants from this region were estimated to be fighting in Syria, with a disproportionately large number of commanders among them (ibid., p. 2). Thus, direct involvement with ISIS and other radical fundamentalist groups in the Middle East provides a fertile breeding ground for radicalization. The issue is further complicated by the dangers of a boomerang effect of radicalized fighters returning home after the fall of ISIS as well as by the spreading of a Salafist branch of Islam that is known for its extreme conservative interpretations of the religious texts. Up to 75% of young people (18-35 years old) in Pankisi identify with Salafism (Gobronidze, 2018 p. 23).

Pankisi Gorge has been under the special attention of the State Security Service of Georgia for the last several years. Annual reports produced by the institution between the years 2015-2018 (The State Security Service of Georgia 2015, 2016, 2017, 2018) identify the developments in the Middle East as a potential threat to the Caucasus, especially considering that there were dozens of Georgians fighting on the side of Islamists in Iraq and Syria. However, although Pankisi Gorge is the focus of the security services, policies and programs aimed at addressing the challenges in this region remain underdeveloped and weak. Until the US applied pressure, the Georgian authorities did not even try to prevent the youth departing for Syria.¹⁵

Programs and policies which are in place are usually ad hoc and sporadic. They involve small financial grants and support for local residents to start business,¹⁶ or increase quotas at the state universities for students from this region (Gobronidze, 2017, p. 13). In 2016 the Georgian Ministry of Defense began promoting military service in the gorge. The Deputy Minister personally visited the region and delivered presentations about the conditions for new recruits (ibid). They could be effective, as long as they are not ad hoc actions but are seen in long-term perspective. For instance, if the state invests in the infrastructure of a village populated by Kists, while the village next to it populated by ethnic Georgians remains excluded from such state investment, this has the potential of being counterproductive to what the state originally aimed to achieve.

However, the state security services' approach to the region and the perception of the community continue to create distrust of the state among the Muslim population of the country. The apparent involvement of the Security Services in the internal affairs of the Islamic community of Georgia (in the appointment of the clerical leader or in the establishment of religious institutions) causes distrust, especially among youth, which then stops identifying with the official religious institutions.¹⁷

Radicalization motivated by Orthodox Christian fundamentalists

Orthodox Christianity and the Georgian Orthodox Church's positioning as a defender of traditional values has an important impact on youth radicalization in Georgia. There were several instances of violent attacks on religious minorities, especially Jehovah Witnesses in the early 2000s, as well as attacks on sexual minorities, inspired and guided by Orthodox clergymen (several instances of attacks on religious minorities by the notorious priest Basil Mkalavishvili and his followers, 17th of May events in 2012 and 2013, 5th of July 2021 etc.). However, although the actors behind these violent

¹⁵ Shota Utiashvili, Georgian Foundation for Strategic and International Studies, interviewed with authors, 23 March 2021, Tbilisi

¹⁶ Giorgi Gogvadze, Georgian Center for Security and Development, interviewed with authors, 19 March 2021, Tbilisi.

¹⁷ Tamta Mikeladze, Social Justice Center, interviewed with authors, 11 May 2021, Tbilisi.

attacks are closely associated with the GOC, and some of them are actually priests, officially the Patriarchate condemns violence and distances itself from such radical activism. In other words, while the GOC condemns the violence, in many instances it provides ideological grounds for violence against minorities. That is what happened in 2013, when several thousand protesters, led by clergymen, attacked a flash mob organized by dozens of LGBTQI activists. Similarly, in 2019 there was an attempt to storm a movie theater to stop the screening of “And then We Danced,” a Georgian-Swedish movie depicting a dancer challenging heteronormativity in the conservative Georgian folkdance culture.

However, sexual minorities are not the only target of radical Orthodox Christian groups. On several occasions they have assaulted other religious minorities or ethnic groups. In January 2021, Muslims and Orthodox Christians clashed in the municipality of Guria over a house used by Muslim community members as a place of worship. The disagreement ended with physical violence and three persons hospitalized (Kincha, 2021b).

The dominance of the Orthodox Christian Church in society and its political influence, as already discussed in this report, continues to present a considerable obstacle for deradicalization programs and policies. These consist mostly of seminars held by the State Agency for Religious Issues for students or clergymen, to increase their awareness about tolerance, or the creating of a special department within the MIA of Georgia that provides recommendations on investigations of crimes motivated by intolerance. Yet, there is no effective policy or program that would address the underlining conditions of radicalization of Orthodox Christian fundamentalists, especially given the influence and interference of the Church in the legislative processes of the state.

To summarize, there is no Georgian state policy or vision on deradicalization. The Security Services of Georgia do not identify in their reports the concrete names of groups or persons involved in the radicalizations, the sources of their funding, or ideology etc. In some cases, even the prevention of violence does not take place.¹⁸ Goguadze,¹⁹ in an interview, assessed state policy towards potential radicalization in Pankisi Gorge as superficial. When youth started departing to join ISIS, the central authorities started investing in infrastructural projects in the region (roads, gasification, etc.) in order to address poverty and economic difficulties in those villages. However, instead of solving the problem, this actually increased the rate of departure. Hence, a substernal approach and policy towards radicalization are still needed. Especially in the case of Pankisi Gorge, this needs to be less about state security and deal more with the issues of politics, civil integration and equality. However, such programs need

¹⁸ Ibid.

¹⁹ Giorgi Goguadze, Georgian Center for Security and Development, interviewed with authors, 19 March 2021, Tbilisi.

to be carefully planned and implemented so that human rights are not violated on behalf of public security. Gogvadze also emphasized the problem with youth being completely disengaged from policy and decision-making despite being the prime recruitment targets.

Conclusion

This report has examined existing laws, institutions and policies on radicalization in Georgia and their effectiveness in addressing this issue. Constitutionally, Georgia remains a secular state and the law guarantees equality and freedom of expression for everyone regardless of their faith and beliefs. Yet, in practice, the picture is a little bit more complicated.

Orthodox Christianity is the dominant and most widely-spread religion across the country, hence the relationship between the GOC and the state is the subject of a special constitutional agreement. The former enjoys a whole range of privileges due to this document. It puts the Georgian Orthodox Church in a privileged position vis-à-vis other religious communities despite the fact that the Constitutional Court argued that it should not be interpreted in this way. Thus, this creates a danger of alienation and radicalization of the latter. However, this condition is not going to be changed anytime soon, since the amendment of the agreement would require consent from the GOC side.

Another controversial subject is the State Security Service's perception of Muslim communities as potential threats and the former's interference in matters relating to the latter's affairs. This is of particular concern as youth in the region populated by the minorities identifies less with the official religious institutions and therefore becomes potentially more susceptible to extremism. When the war broke out in Syria and ISIS started gaining grounds, the Georgian authorities' approach was rather liberal, letting those who wanted to join the Islamic State do so and thus "getting rid" of radicals from home. However, following recommendations from the American partners, Georgia introduced prison sentences for those going to fight on the side of extremists.

On the other hand, legislation regarding hate speech and freedom of expression is modeled on the USA and based on the "free marketplace of ideas". This implies greater visibility of extremist views and ideologies, yet all the respondents interviewed for this report opposed the introduction of any regulatory mechanisms. As they have argued, government could abuse such systems to silence critical voices. This work also mentioned several examples where there were attempts to introduce a bill criminalizing offending religious feelings, yet it never made it through parliament due to criticism from local watchdogs and the Public Defender's Office.

There is no well-developed institutional or policy framework that could be directed against potential sources of radicalization. In 2014 the government of Georgia established the State Agency on Religious Issues, as well as the Tolerance Center functioning at the Public Defender's Office. Yet, there is no substantial, conceptual long-term strategy and vision aimed at facing the challenges posed by radicalization. Most of the de-radicalization programs are sporadic, ad hoc and short-term.

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Annexes

Annex I: Overview of the legal framework on radicalization & de-radicalization

Legislation title (original and English) and number	Date	Type of law (i.e. statute, regulation, rule, etc...)	Object/summary of legal issues related to radicalization	Link/PDF
Civil Code of Georgia	1997	National	Regulates freedoms and human rights against possible discrimination	https://matsne.gov.ge/en/document/view/31702?publication=110
Constitution of Georgia	1995	Constitution	regulates freedoms and human rights;	https://matsne.gov.ge/en/document/view/30346?impose=translateEn&publication=36
Law of Georgia on the Elimination of All Forms of Discrimination	2014	National	Main legislative act on anti-discrimination	https://matsne.gov.ge/en/document/view/2339687?publication=0

National case law

Case number	Date	Name of the court	Object/summary of legal issues related to radicalization	Link/PDF
Citizens of Georgia – Levan Asatiani, Irakli Vatcharadze, Levan Berianidze, Beka Buchashvili and Gocha Gabodze v. the Ministry of Labour, Health and Social Affairs of Georgia	04.02.2014	Constitutional Court of Georgia	The constitutional court recognized the ban on blood donation for gay men as unconstitutional	https://constcourt.ge/en/judicial-acts?legal=546

Other relevant issues

	Constitutional provisions	Statutory law (statutes, rules, regulations etc.)	Important case law	Comments/issues relevant to radicalization
Freedom of religion and belief	<p>Constitution of Georgia. 1995. Article 8 – Relationship between the State and the Apostolic Autocephalous <i>Orthodox Church</i> of Georgia;</p> <p>Constitution of Georgia. 1995. Article 16 – Freedom of</p>			<p>Formally protected;</p> <p>Implementation partly suboptimal;</p>

	belief, religion and conscience;			
Minority rights	Constitution of Georgia. 1995. Article 11 – Right to equality.			Formally protected; Implementation partly suboptimal;
Freedom of expression	Constitution of Georgia. 1995. Article 17 – Rights to freedom of opinion, information, mass media and the internet.			Formally protected; Implementation partly suboptimal;
Freedom of assembly	Constitution of Georgia. 1995. Article 21 – Freedom of assembly			Formally protected; Implementation partly suboptimal;
Freedom of association/political parties etc.	Constitution of Georgia. 1995. Article 22 – Freedom of association; Article 23 – Freedom of political parties;			Formally protected; Implementation partly suboptimal;
Hate speech/crime	-			
Church and state relations	Constitution of Georgia. 1995. Article 8 – Relationship between the State and the Apostolic Autocephalous <i>Orthodox Church</i> of Georgia; Article 16 – Freedom of belief, religion and conscience;			Formally protected; Implementation partly suboptimal;
Right to privacy	Constitution of Georgia. 1995. Article 15 – Rights to personal and family privacy, personal space and privacy of communication;			Formally protected; Implementation partly suboptimal;

Annex II: List of institutions dealing with radicalization & counter-radicalization

Authority (English and original name)	Tier of government (national, regional, local)	Type of organization	Area of competence in the field of radicalization & deradicalization	Link
Council of Religions (რელიგიათა საბჭო)	National	Public Defender's Office		https://www.ombudsman.ge/en
State Agency for Religious Issues (რელიგიის საკითხთა სახელმწიფო სააგენტო)	National	State agency / government	Religious radicalisation; Development of recommendations to support establishment of coherent religious policy, based on professional studies and scientific analysis in the sphere of religion.	https://religion.gov.ge/en/
Tolerance Center (ტოლერანტობის ცენტრი)	National	Public Defender's Office	Civic integration of ethnic and religious minorities; Development of the culture of tolerance and establishment	https://www.ombudsman.ge/en/g/tolerantobis-tsentr/ ; http://tolerantoba.ge/index.php

			nt an equal environment in Georgia; Contribution to the protection of the rights of religious and ethnic minorities.	
Office of the State Minister of Georgia for Reconciliation and Civic Equality (შერიგებისა და სამოქალაქო თანასწორობის საკითხებში საქართველოს სახელმწიფო მინისტრის აპარატი)	National	State agency / government	De-occupation of the country and reconciliation of the communities separated by the conflict; protection of rights and identity of all citizens and ethnic groups; protection of conflict-affected people;	https://smr.gov.ge/en

Annex III: Best practices/interventions/programmes

National level

	Institution(s)	Aim	Source	Evidence of effectiveness / literature
State Strategy for Civic Equality and Integration for 2015-2020	Government of Georgia;	Increasing access to education for ethnic minorities; increasing their knowledge of the Georgian language;	https://smr.gov.ge/uploads/prev/esen_55b90432.pdf	
Promoting Integration, Tolerance and Awareness	United Nation's Association of Georgia	PITA enhances government institutions' performance to manage implement civic integration policy, and supports establishment of direct lines of communication between the Government of Georgia and minority communities	http://www.una.ge/page/92/eng	

Local level

	Institution(s)	Aim	Source	Evidence of effectiveness / literature
Promotion of military service in Pankisi	Ministry of Defense of Georgia	Civic integration of Pankisi Gorge youth	Gobronidze, Giorgi. 2017. 'ისლამის რადიკალიზაციის პრობლემა, სახელმწიფოს პოლიტიკა და რეგიონული თანამშრომლობის პერსპექტივები - ხედვა საქართველოდან.' Caucasian House. Tbilisi	Gobronidze, Giorgi. 2017. 'ისლამის რადიკალიზაციის პრობლემა, სახელმწიფოს პოლიტიკა და რეგიონული თანამშრომლობის პერსპექტივები - ხედვა საქართველოდან.' Caucasian House. Tbilisi
Increase of quotas for students in the state universities from Pankisi Gorge	Ministry of Education of Georgia	Civic integration of Pankisi Gorge youth	Gobronidze, Giorgi. 2017. 'ისლამის რადიკალიზაციის პრობლემა, სახელმწიფოს პოლიტიკა და რეგიონული თანამშრომლობის პერსპექტივები - ხედვა საქართველოდან.' Caucasian House. Tbilisi	Gobronidze, Giorgi. 2017. 'ისლამის რადიკალიზაციის პრობლემა, სახელმწიფოს პოლიტიკა და რეგიონული თანამშრომლობის პერსპექტივები - ხედვა საქართველოდან.' Caucasian House. Tbilisi

Annex IV: Policy recommendations

- Deradicalization measures by the Georgian government are mostly ad-hoc, spontaneous, incoherent and do not follow any long-term strategy. Also as a result of the country's traumatic past experience with secessionist conflicts, the state authorities sometimes have an understandable tendency to have a securitizing approach to deradicalization programs and platforms, seeing minority groups as a threat and not as an opportunity. This leads to a lack of inclusiveness in the process and a low degree of social trust among minority groups towards the state institutions. Therefore, it is advisable that the state authorities make their dialogue with religious and ethnic minorities more inclusive by including members of these groups into state platforms and programs. The representatives of the minority groups can better contribute to strengthening civic unity and the deradicalization agenda if their sense of belonging to the Georgian state is increased. The state should become more active in the field of education especially and offer local young Muslims alternative sources of education programs and platforms to reduce an impact of conservative religious schools, including the Salafism movement which is very popular in Pankisi Gorge.
- While religious or right-wing radicalizations do not represent a major challenge now, Georgia may face more severe forms of radicalization in the future, also due to quickly changing external and internal environments. Therefore, policy responses to radicalization should not only be reactive but follow a long-term approach to increase countries preparedness for future risks of radicalization. For this a comprehensive preventive and pre-emptive national deradicalization agenda is required. At this point, absence of a long-term, coherent and consistent planning remains a serious programs of Georgia's state deradicalization agenda.
- The Georgian Orthodox Church (GOC), while acting as social glue among conservative parts of the society, tends to have a polarizing and detrimental effect on a number of issues, including minority rights and liberal policies such as drug liberalization or adoption of anti-discrimination legislation. Moreover, some parts of the clergy sometimes incite violence among homophobic groups in the country by using hate speech against LGBT groups and the country's liberal policies. What is more, there are very few formal and informal checks available to oppose the GOC as both the government and the majority of the opposition parties try to avoid political clash with the most popular institution in the country. Frequent scandals and fractures within the church, as well as the wealthy lifestyle of some of the clergy have already resulted in the loss of their popularity, but it still remains high. Short- and long-term measures that can be taken to reduce negative impacts of the church could be: First, strategic communication with the church by the government and the international community is needed to persuade the church that liberal policies, including antidiscrimination, are not at odds with the Orthodox Christianity. Secondly, more education and socialization opportunities should be given to young clergy

to enable them to escape a Russia-dominated social bubble that promotes Euro-skepticism and anti-liberalism. Thirdly, the privileged position of the Church (tax exemptions, budget finance etc.) should be reconsidered, and at least made conditional on the cessation by the clergy of the spreading of hate propaganda and support for anti-Western, anti-liberal and anti-democratic, violent groups.

- National legislation regarding hate speech and freedom of expression follows the less-regulated US model based on the “free marketplace of ideas”. While an absence of regulations protects the media climate from intervention by the state authorities, it also opens a space for an increase in influence by religious or right-wing radicalization. Few TV channels or social media networks in Georgia have been spreading anti-Western and anti-Liberal propaganda and hate news. To deal with this issue, specific regulatory mechanisms could be introduced. But these mechanisms, if introduced, should be the subject of a tight societal scrutiny and should not be turned into instruments in the hands of government or of religious authorities to enable them to abuse such a system and silence critical voices.