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## **The anti-EU role of the Georgian Orthodox Church in the parliamentary election**

HRWF (28.10.2024) - Georgia's ruling party won nearly 54% of the vote in Saturday's [parliamentary election](#), the electoral commission said on Sunday, as opposition parties disputed the result and vote monitors reported significant violations.

International observers said there were concerns with the electoral process both before and during elections in Georgia, fuelling polarisation between Georgian Dream and opposition parties who claim the result was "rigged."

"During our observation, we noted cases of vote-buying and double-voting before and during elections, especially in rural areas" Iulian Bulai, head of the **Parliamentary Assembly of the Council of Europe delegation**, said.

The **Organisation for Security and Co-operation in Europe (OSCE)** deployed 529 observers across Georgia, including a delegation of 12 from the European Parliament.

There were various issues with the electoral process during the elections in Georgia, according to a Western delegation of observers co-ordinated by the OSCE

Whilst members said that voting on election day was generally well-organised, they pointed to a tense and pressured environment pre-election day as well as several instances of intimidation and procedural inconsistencies during the day itself.

In 24% of cases analysed by a delegation from the OSCE Office for Democratic Institutions and Human Rights (ODIHR) voter secrecy was found to be compromised.

Antonio Lopez-Isturiz White, who represented a group of **observers from the European Parliament**, pointed to a tense and highly polarised environment for voters saying, "Although, outwardly, the campaign was quite subdued, there were signs that efforts were underway to undermine and manipulate the vote."

The ruling party, Georgian Dream, has denied reports that the election was rigged. Prime Minister Irakli Kobakhidze said "The Georgian people made the only choice for which there was no alternative; they chose peace and the country's development, its bright, European future."

European leaders have been relatively quiet about congratulating the ruling party, with Hungarian Prime Minister Victor Orbán congratulating Georgian Dream.

While the anti-EU intrusive role of Moscow in the Georgian election has been clearly exposed, the influence of the Orthodox Church of Georgia opposed to the Western values has been at least as important, if not more.

The Georgian Orthodox Church is an autocephalous Eastern Orthodox in full communion with the other churches of Eastern Orthodoxy, including with the Russian Orthodox Church, and it shares the anti-Western values of Patriarch Kirill. It is Georgia's dominant institution with a membership constituting 83.4% of the population, the second largest religious community being Muslim (10.7%).

According to a 2013 survey, 95% respondents had a favorable opinion of its work. It is highly influential in the public sphere and is considered Georgia's most influential institution.

### ***Two reports by Tolerance and Diversity Institute highlight the role of the Georgian Orthodox Church in the election***

From 25 August to 25 September 2024, the [Tolerance and Diversity Institute \(TDI\)](#) monitored the election campaign in Georgia and published a report titled "[Georgia: Pre-election environment in terms of freedom of religion or belief, equality and secularism](#)"

- Introduction
- Failed Attempt to Declare Orthodox Christianity as the State Religion
- Statements by the Georgian Dream Government regarding the Orthodox Church and Constitutional Amendments
- The Position of the Patriarchate on Declaring Orthodox Christianity as the State Religion Statements of Opposition Political Parties Regarding the Orthodox Church and Constitutional Amendments
- Speculation on the topic of Church in the Government's Anti-Western Messages
- The Orthodox Church and Clergy in the Ruling Party's Pre-Election Campaign
- Propagandist Statements by Representatives of the Orthodox Church
- Conclusion

On 26 October, TDI published a second report entitled "[Pre-election Environment: Freedom of Religion or Belief, Equality and Secularism](#)".

### **Table of content of the 26 October report**

- Key Findings
- Propaganda Election Banners by the Georgian Dream Government's Election Promises to Reflect the Special Role of the Church in the Constitution Speculation on the topic of the Church in Anti-Western and Anti-Opposition Messages of the Government
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- Propagandist, Anti-Western Statements by Representatives of the Orthodox Church
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### ***Excerpt from the 26 October report: Propagandist, Anti-Western Statements by Representatives of the Orthodox Church***

During the pre-election period, some Orthodox Church clergy members made statements in public speeches and sermons in support of the government and against civil society, human rights, and the West.

On October 3, 2024, Shalva Papuashvili, the Speaker of the Georgian Parliament, signed a package of bills "[On the Protection of Family Values and Minors](#)" after Georgian President Salome Zourabichvili refused to sign it into law. (...)

**On October 4, the [Public Relations Service of the Georgian Patriarchate](#) responded to the adoption of this discriminatory and homophobic bill by issuing a statement supporting the passage of the law:**

"[...] Moreover, the spread of LGBTQI propaganda has repeatedly created significant social division in society and even became a tool of tension in the hands of those who strive to deepen polarization. Given these tendencies, the law adopted by the current government of Georgia on the "**Protection of Family Values and of Minors**" is a positive step forward.

We hope this law will bring fruitful results for the wellbeing of our society, as it is a crucial and decisive step in protecting the traditional values that define the uniqueness of the Georgian nation."

**In a statement from the [Public Relations Service of the Georgian Patriarchate](#) of October 22, support for both the ruling party and its propagandist, anti-democratic initiatives is obvious.**

The statement mentions the "protection of national and religious values," "long-term peace," and the "strengthening of Christian and family traditions," which fully align with the election slogans of the Georgian Dream:

"Today, our country is on a crucial path. On the one hand, the protection of national and religious values, and on the other, the unification of the country, the preservation of sovereignty and peace, is the primary goal of both state institutions and society. We have repeatedly stated that the Georgian Orthodox Church, as the greatest unifier and protector of our nation and country, cannot appear as a political actor, but it will clearly support such a choice that will bring long-term peace to Georgia and strengthen those values in society that promote Christian and family traditions.

Therefore, amidst the heightened emotions and tensions of the election period, we ask the clergy in their statements and appeals to consider their special role in maintaining social unity and peace."

[Daniel Datuashvili, Metropolitan of Chiatura and Sachkhere](#), **October 14**: "The Church supports the advancement and development of the country based on its traditional values."

[Spiridon Abuladze, Bishop of Skhalta Diocese](#), **October 1**: "[...] When a nation is facing such a terrible trial, for which Sodom and Gomorrah were destroyed, and a flood occurred, and this is clearly coming upon our nation.

We see this horror in the ideology and propaganda of those 15 parties and their media, as well as the great danger of being drawn into a war that would engulf Georgia in flames, and at such a time someone is telling you to vote for this or vote for that [...]

Let me say once again with full responsibility, as a clergyman, as instructed by the Holy Scriptures and my Mother Church, that those 16 who vote for those parties that have

expressed solidarity with gay propaganda, expressed solidarity with transgenderism, and involvement of Georgia in war, will be subject to their sin and will be punished with them in eternal judgment.”

[Spiridon Abuladze, Bishop of Skhalta Diocese](#), **October 9**: “Every moment we are threatened with sanctions, but the Mother of God protects us, and the God and the Mother of God have given Georgia a government that stands against this.

You see this, and this government is threatened with terror attacks, sanctions, and misfortunes, and it is as if they are asking, ‘How dare you ban sodomy and LGBT propaganda in Georgia? [...]’ God has provided us with a government that defends this purity and morality, and we must all stand by it.

Every man must go and vote in the elections for Mr. Bidzina Ivanishvili because he dared to do what others do not. Who doesn’t dare? **The government of France, the government of England, the government of America, and the governments of Europe. They have become enslaved by the Antichrist, as you can see. [...]** Let me reiterate, those who do not vote in these elections for the government that has legally banned and destroyed this will play into their hands, the hands of those parties and forces of darkness, the hands of the West, who wish to bring debauchery, corruption, and the religion of the Antichrist to Georgia.”

[Spiridon Abuladze, Bishop of Skhalta Diocese](#), **October 20**: “Today they are trying to completely destroy the institution of the family; today they are trying to destroy morality, decency, and order.

Today they are actively promoting LGBT, sodomy, homosexuality, and lesbianism.

Today there is aggressive propaganda for transgenderism. [...] As you know, transgenderism is the gravest sin, sodomy is the gravest sin, and the gravest sin within sodomy is transgenderism, and today they are promoting this through mass media, through social networks, and through those parties that are funded, so to speak, by these anti-Christian countries. From the countries of the Antichrist.”

[Archpriest Shalva Kekelia](#), **October 20**: “Imagine, the country has adopted a law against LGBT propaganda; the country has passed this law, and it tells you that if you adopt this law, you will not be able to join me; I will not accept you; I will cut off funding for you; I will act against you in this way. Exactly the same policy is today. [...]

Look how the issue is presented: when I talk about this and when I don’t like this European policy, this kind of interference, and this kind of attitude, they view us as an inferior country, they compare us to an African country, imagine that, and they interfere like this and tell us what to do.

We never wanted to be treated like this. I did not want to receive instructions from Moscow, and that’s why I freed myself from Moscow, so it would not instruct me how to live. Today, they are doing the same from Brussels, the same from Washington, the same from America, and we want freedom; our people want freedom; that’s what Saint Ambrose Khelaia fought for. [...]

A nation moves forward by God’s grace. I strongly believe that this country will become an exemplary country. This country will adopt the laws that please God, and this process has already begun in our country. God started it, not this government. God caused this government to start this process; He left the government no other choice and caused it to choose this path; and the path of God became the choice, and the government has

already embarked on this path and is adopting the laws that are necessary for the country.”

[Archpriest Shalva Kekelia](#), **October 24**: “I’m speaking directly to those who see themselves as members of the church...How can you give your vote to parties whose leaders insult your patriarch, criticize the church, and disregard the sanctity of the family?”

For believers, the choice should be clear. [...] The decisions must be based on consideration of ongoing processes, including attitudes toward religion, with each citizen bearing personal responsibility for their choice”.

[Stepane Kalajishvili, Metropolitan of Chkondidi, Tsageri, and Lentekhi](#), **October 6**: “Now let us weigh ourselves on the scales - foreigners tell us to follow them and wag their fingers at the government that passed the law protecting the family and opposing the sin of Sodom.

They wag their fingers and say that for adopting this law, you will be punished, you will not be allowed to join us, and all sorts of nonsense. This is a choice, and it is very clear – for opening negotiations, they want us to sign a 'gay memorandum' and allow the propaganda of this Sodom sin in Georgia. Therefore, this is not a difficult choice.

There is one force that, thanks God, is in power today and protects us, safeguards our values, and puts Christian values first. We have long wished to have a government that would raise its voice and defend our values.

Now we must see what these foreign-controlled forces are doing and what the next stage is. It may happen that we are fooled or intimidated, and they try to stage a coup. They are not active today, but they will be when these elections pass or during the elections, and if Western-controlled forces come to power, they will tell us that the sin of Sodom must take root in Georgia, and if you do not revoke that law, which protects our children and our future, then we will fight you, and they will declare such a fight against us as we have never seen.”

A contrasting statement supporting European integration was made by [Zenon Iarajuli, Archbishop of Dmanisi and Agarak-Tashir](#) (**October 20**): “Our ancestors, devoted to Georgia, once fought for Europe’s security alongside Georgia, and now Europe fights for us, for the descendants of our ancestors.

Yes, together with us, Europe now fights for Georgia, for its prosperity, peace, security, and the protection of its borders.

Today’s struggle is aimed at ensuring that Georgian citizens living in Europe and the West are not alienated from their homeland, and the homeland is not alienated from its children.

[...] Young people, you are the generation that needs no reminder that no one has ever been glorified by humiliating others. You respect the existence and life of every human being! So, with love and respect for one another, lead the tired older generations forward to a peaceful home on this earth. [...]

Europe’s door is open, and from Georgia, the creator of the ancient Caucasian-European civilization, it awaits the dawn of a Georgian union with it. We go to the elections for Georgia’s European peace, for the declaration that Georgia is a bridge to Europe for Asia itself.”

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## Georgian Muslim Relations and Others v. Georgia

### *A bleeding pig's head and other expressions of religious hatred with no police intervention*

by dr. Cathérine Van de Graaf<sup>1</sup>

[Strasbourg Observers](#) (23.04.2024) - On 30 November, the Fifth Division of the European Court of Human Rights ruled in the case of "Georgian Muslim Relations and Others v. Georgia." The Court ruled that Georgia had violated its positive obligations under Articles 8 and 9 of the Convention in conjunction with Article 14 as the applicants were not afforded the required protection against overtly religiously biased acts of violence. In addition, the Court found a violation of Article 1 of Protocol No. 1 since, on the one hand, the applicants were denied access to their building due to unlawful acts of private individuals and to the failure of the authorities to take adequate measures against them, and, on the other hand, since their use of the building was impeded by the failure to connect the school building to the sewerage system. This last element will not be tackled in the blogpost.

#### ***The Facts of the Case***

The application was submitted by a non-profit organisation whose main objective is to promote support for religious education and provide free education to socially vulnerable children, along with seven Georgian nationals belonging to the Muslim minority. In August 2014, the 'Georgian Muslim Relations' organisation obtained the right to use a piece of land under a lease agreement and decided to open a boarding school for Muslim children at that location. Already in June of that same year (when they had learned about the upcoming plan), members of the local Orthodox Christian population started protesting against the possible opening. During these protests, barricades were constructed to prevent the applicants' access to the building (including on the day of the school's opening) and insults were hurled at them on several occasions. On 10 September, the protesters slaughtered a pig in front of the school building and nailed the bleeding head to the entrance door. At the same time, a metal cross was fixed in front of the building. One of the protesters stated during a television interview that this was done 'because Muslims hate pigs'.

On the day of the pig slaughter, criminal proceedings were initiated based on threats received by the seventh applicant that the school building would be set on fire and vandalised. In the following days, several applicants were interviewed, who confirmed the events as well as previous altercations. The local residents interviewed stated that they had nothing against Muslims, but that opening a Muslim school was not necessary as the area was mainly home to Orthodox Christians. Several other proceedings ran parallel to the criminal proceedings. The applicants' legal representative repeatedly wrote to the Georgian Minister of the Interior and the chief prosecutor about the events around the school and complained about the ineffective police response. It was stated that the police had patrolled the area from 15 September but had never intervened. Several additional hate statements were also reported. Among other things, protesters stated



that the applicants were participating in Turkish expansion, that one applicant was 'a son of Turks' for which there is no place there, they were 'Tatars', that if he was a Georgian he should go to church and also that they did not need a religion with foreign money in the area. In addition, they were denied service in a local grocery shop because they were Muslims. After reporting another incident in June 2015, an investigator found two bullet-like fragments on the ground and damage to a window. Forensic expert examination determined that they were shell casings from a pneumatic rifle that did not constitute ammunition.

In 2019, the prosecutor issued a decision changing the qualification of the alleged crime from 'threat' to 'persecution on religious grounds' and denied a legal basis to grant procedural victim status to any of the applicants. Additional investigative measures were taken in 2019 and 2020, and the applicants regularly voiced complaints about the inadequacy of the investigation and police misconduct. The criminal investigation is still ongoing.

In November 2014, some applicants filed a civil suit against the Ministry of the Interior and three private individuals, asking the Batumi court to order the defendants to stop their ongoing discriminatory acts against the applicants. The Ministry's representative explained that it was not part of their responsibility to remove barricades on private property. On 19 September 2016, the Batumi court granted the applicants' claims and concluded that the attitude of three private individuals was Islamophobic. However, the Kutaisi Court of Appeal found that there was no evidence that the Ministry had failed to perform its duties and that it had done so on discriminatory grounds. Furthermore, it considered the applicants' argument that the police's inaction was motivated by religious bias was to be unconvincing. Since the Kobuleti police had not received any complaints about a possible interference with the functioning of the boarding school in the period between 1 January 2016 and 1 January 2019, there was no reason to believe that there was any interference with the functioning of the boarding school.

### **The Court's Decision**

First, the Court held that it was not satisfied that the contested acts were so serious that they caused the applicants – all adults – the kind of anxiety, fear or feelings of inferiority necessary to reach the threshold of Article 3. The Court did accept the applicants' claim that acts were intended to publicly mock, humiliate or frighten the applicants. It went on to state that an individual's ethnic and religious identity may fall within the personal sphere protected by Article 8, as 'any negative stereotyping of a group, when it reaches a certain level, is capable of impacting on the group's sense of identity and the feelings of self-worth and self-confidence of members of the group' (par. 78). The Court further noted that all the individual applicants were Muslims who were active members of the Muslim religious community in the region concerned and involved in the establishment of the boarding school, an activity related to education within the meaning of Article 9 of the Convention. One applicant was the head of Georgian Muslims Relations and two applicants were *khojas* (Islamic teachers). The Court decided to assess their complaints simultaneously under Articles 8 and 9 of the Convention in conjunction with Article 14 on the basis that the acts were caused by religious hatred and prejudice. The applicants' complaint was not about direct involvement of the police or other public authorities in the hate campaign, but rather their inadequate response to it. The Court ruled that the public authorities had a positive obligation to safeguard the applicants' rights without discrimination and thus to take prompt and adequate measures to stop unlawful 'mob action', hate speech and other discriminatory acts on the part of local people. They were therefore expected to take proactive steps that would 'realistically' enable the applicants to exercise their religious rights.

Where there are conflicting rights, the Court's role is to examine whether the authorities have tried to strike a fair balance between the two. In this regard, the Court noted that the State did not examine how a balance could be struck between respecting the rights of the applicants and those of the protesters. It added that 'attacks on persons committed by insulting, holding up to ridicule or slandering specific groups of the population can be sufficient for the authorities to favour combating xenophobic or otherwise discriminatory speech in the face of freedom of expression exercised in an irresponsible manner' (par. 89). The tension at the boarding school did not arise so spontaneously that it could justify that the police could only avoid physical confrontations. With the religious hostility present, the authorities should have anticipated that the opening of the school would be obstructed. The Court thus held that by failing to identify and punish the perpetrators and restore public order, the police allowed the protesters to engage repeatedly and for lengthy periods of time in what was later qualified as discriminatory treatment by the national courts. Faced with police indifference, the applicants had no choice but to simply tolerate these acts. In addition, the Court also took note of the length of some procedures. It stressed that since the anti-discrimination proceedings against the Ministry of Interior lasted almost eight years, the effectiveness of the remedy was undermined. Certain other proceedings were completed only six years after the events in question.

In conclusion, the discriminatory behaviour, which consisted mainly of hate speech, threats, and degrading treatment, coupled with the inaction of the police, created feelings of fear and insecurity among the applicants and prevented them from opening a boarding school. The Court held that there were clear grounds to believe that the applicants had been insulted and threatened because they were Muslim. It was therefore essential that the relevant national authorities took all reasonable steps to unmask the role of possible religious bias in the events and protect the applicants from it.

Read the rest of the article [online](#)

- **Discussion**
- **When does deep humiliation and traumatising become degrading treatment?**
- **Islamophobia before the Court**
- **Conclusion**
- **On Strasbourg Observers**

*Strasbourg Observers is an academic blog that discusses recent developments at the European Court of Human Rights. The editorial team of Strasbourg Observers is based at the Human Rights Centre of Ghent University and the Centre for Government and Law of Hasselt University.*