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Georgia: Reports of violence against Armenians; response of government authorities (2005-2006)
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

According to the 2002 census, ethnic Armenians number approximately 250,000 in Georgia, or 5.7 percent of the country's population (FIDH Apr. 2005, 6; 8 June IHF 2006; ECMI Oct. 2006, 55). In a 22 November 2006 report entitled *Georgia's Armenian and Azeri Minorities*, International Crisis Group (ICG) notes that the main problem facing Armenians in Georgia is "the inability to use their language in public life" (3). However, the ICG report also highlights recent incidents of ethnic violence involving ethnic Armenians (ICG 22 Nov. 2006, 3).

Various media sources indicate a history of ethnic clashes in the multiethnic Tsalka district (RFE/RL 17 Mar. 2006; *Civil Georgia* 10 Mar. 2006; *Eurasia Daily Monitor* 23 Mar. 2005; REGNUM 10 Mar. 2006). According to Chairperson of Georgia's Human Rights Committee, Yelena Tevdoradze, "there is no ethnic enmity as such in the district.... There are disputes over the empty homes of Greeks who have emigrated to Greece" (Interfax News Agency 27 June 2005). While this sentiment is echoed by other Georgian government officials, it is disputed by some who believe that "[t]he weakness of local state institutions, corruption, unsolved social problems, and poor involvement of ethnic minorities in the state life" all contribute to the disputes between Armenians and Georgians (*Eurasia Daily Monitor* 23 Mar. 2005).

In February 2005, Radio Free Europe/Radio Liberty (RFE/RL) report that the Organization for Security and Co-operation in Europe (OSCE) and the government of Georgia jointly had launched an initiative aimed to quell ethnic tensions in the predominantly ethnic Armenian region of Samtskhe-Djavakheti (17 Feb. 2005). One of the program's features is the provision of free legal aid to ethnic Armenians (RFE/RL 17 Feb. 2005).

On 17 March 2005, fighting broke out in Tsalka between Armenians and Greeks on one side and Georgians on the other, injuring over a dozen people (ibid. 18 Mar. 2005; *Eurasia Daily Monitor* 23 Mar. 2005). According to *Eurasia Daily Monitor*, the brawl was instigated by the burglary and assault of an elderly Greek couple (ibid.). The Armenians and Greeks allege that the Georgians abuse their civil rights, while the Georgians claim that the Armenians and Greeks assault them because they do not want Georgians moving into their district (ibid. 23 Mar. 2005). Georgian officials visited the district to investigate (ibid.; RFE/RL 18 Mar. 2005) and sent police officers to patrol the district around the clock (*Eurasia Daily Monitor* 23 Mar. 2005).

On 9 May 2005, some 30 people were allegedly injured in Tsalka during a fight between Armenians and Georgians, prompting the police to send in national troops (REGNUM 10 Mar. 2006).

In October 2005, Georgian police reportedly used force to quell a protest involving 300 people in the ethnic Armenian town of Akhalkalaki who were opposed to the closure of 10 Armenian stores by the tax police (*Eurasia Daily Monitor* 12 Oct. 2005; RFE/RL 6 Oct. 2005). According to RFE/RL, a number of protestors had to receive medical attention as a result (ibid.). *Eurasia Daily Monitor* reports differing reactions to the event: Giorgi Khachidze, the governor of the region in which the protest took place, said the police had displayed an "excessive use of force," while Georgian President Mikheil Saakashvili commended the police for their actions (12 Oct. 2005). RFE/RL notes that in October 2005, the Georgian Ministry of Interior was investigating leaflets left in an Armenian district and signed by the previously unknown Brigade for the Liberation of Akhaltsikhe which called for the expulsion of Armenians and threatened to kill those who remained (14 Oct. 2005). Governor Khachidze reportedly referred to the leaflets as "a bad joke" (RFE/RL 14 Oct. 2005).

On 9 March 2006, an ethnic Armenian named Gevork Gevorkyan was killed by an ethnic Georgian in the Tsalka district following a scuffle between Armenian and Georgian villagers (ibid. 17 Mar. 2006; EurasiaNet.org 30 Mar. 2006; REGNUM 10 Mar. 2006). Media reports indicate that between one and four ethnic Armenians were injured in the fighting (ibid.; *Civil Georgia* 10 Mar. 2006). *Civil Georgia* reports that the police subsequently arrested five suspects (ibid.).

Following the 9 March 2006 incident, protesters in Akhalkalaki demanded a fair and unbiased investigation into Gevorkyan's murder (ibid. 11 Mar. 2006; ICG 22 Nov. 2006, 3). According to the ICG, many of the protesters alleged that ethnic Armenian judges in Akhalkalaki were being replaced by ethnic Georgian judges (ibid.), a claim that could not be corroborated by the Research Directorate. A report by the Russian news agency REGNUM notes

that, according to Hayk Militinyan ethnic Armenian member of parliament from the Tsalka region, some 150 Armenian protesters were hurt in a clash with police when they demanded that those responsible for the 9 March 2006 casualties be brought to justice (10 Mar. 2006). This information could not be corroborated by the Research Directorate.

The 9 March 2006 incident reportedly led to a "wave of clashes between Georgians and Armenians" in the Tsalka district, as well as in the town of Akhalkalaki (RFE/RL 17 Mar. 2006). A week after Gevorkyan's death, the Georgian government deployed special troops to the region, with armed police officers on a 24-hour patrol (ibid.). Some local villagers reportedly told Radio Free Europe/Radio Liberty that the killing of Gevorkyan was more attributable to poverty than to politics (ibid.), while the Georgian Public Defender blamed "hooliganism" and still others blamed ethnic tensions (*Civil Georgia* 11 Mar. 2006).

In its July 2005 *Report for the Committee on the Elimination of Racial Discrimination* which was submitted to the United Nations (UN), the Tbilisi-based Human Rights Information and Documentation Center (HRIDC) notes that Article 142 of the Georgian Criminal Code states that racial discrimination, defined as incitement to ethnic or racial hatred, or the unfair treatment on the basis of race or ethnic origin, is punishable by up to three years' imprisonment (11). According to Article 142, aggravating circumstances, such as acts of discrimination committed by an organization or those leading to death, can lead to prison sentences of up to eight years (HRIDC July 2005, 11). However, HRIDC noted that Article 142

[i]s not effectively used in practice. So far, no one has been prosecuted under this article. The main reasons are that population lack the information that discrimination is punishable by the legislation or the police tries to give other qualification to the fact... (ibid.).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

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Internet sites, including: Amnesty International (AI), *The Economist*, Freedom House, Georgian European Policy and Legal Advice Center, Georgian Helsinki Committee, Human Rights Watch (HRW), Institute for War and Peace Reporting (IWPR), Liberty Institute, *The Messenger* [Tbilisi], Open Society - Georgia Foundation, United States Department of State.

Publications, including: *World Encyclopedia of Minorities*.

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