

**The International Covenant on Civil and Political Rights:
Violations by Georgia of the rights of the ethnic minority Azerbaijani community**

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Human Rights Clinic of Ilia State University School of Law aims to promote teaching and research in the area of human rights at the university level by raising academic awareness of pressing human rights issues, establishing a live-client Human Rights Clinic at Ilia State University, and delivering a human rights course for the students.

Salam Platform is a non-governmental organization established by ethnic/religious minorities of Georgia. The platform aims to organize non-dominant ethnic/religious groups for justice and equality. Organize them for preserving their identity, cultural heritage, language, and history. Therefore, Salam aims to achieve equality for the most oppressed and marginalized groups in Georgia through self-organization, and build a society of solidarity free from patriarchy, ethnocentrism, racism, xenophobia, and economic oppression.

Contact persons:

Ana Aptsiauri

Human Rights Clinic, Ilia State University School of Law

Coordinator and Legal Practitioner

ana.apsiauri.5@iliauni.edu.ge

Kamran Mamedli (Mamedov)

Salam Platform

Board Member

kamomamedovi@gmail.com

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This report is submitted by Platform Salam, an organization of ethnic Azerbaijanis that works with Azerbaijani communities in advocating for their rights, and the Human Rights Clinic of Ilia State University School of Law, which works with individuals and organizations to secure their rights, particularly the right to non-discrimination. The purpose of this report is to bring to the Committee's attention violations by Georgia of the Covenant rights of the Azerbaijani ethnic minority community, including:

- Discriminatory denial of the right to use a surname that reflects their Azerbaijani heritage, in violation of articles 17, 24, 26 and 27;
- Failure to teach Azerbaijani children the national (Georgian) language in primary and secondary schools in Azerbaijani communities, and failure to sufficiently fund a special pre-university program of intensive language instruction to enable Azerbaijani students to enroll in universities, in violation of articles 2(1), 24, 25 and 26, among others; and
- Discrimination against Azerbaijani communities in the context of the COVID-19 pandemic, in violation of articles 2(1), 18 and 26.

I. Background

Georgia is considered an ethnically, religiously, and bilingually diverse country. According to the 2014 General Population Census,¹ ethnic Georgians, who are predominantly Georgian Orthodox Christians, make up about 87 percent of the total population (3,224,564 people), while other ethnic groups constitute 13 percent. The Azerbaijani community, whose members are predominantly Muslim, remains the largest non-dominant ethnic group with 233,024 people. The members of the Azerbaijani community face many barriers in public life, which are the direct result of society's well established ethno-religious

¹ National Statistics Office of Georgia, 2014 General Population Census Result, see: <https://www.geostat.ge/en/modules/categories/739/demographic-and-social-characteristics>

nationalism and xenophobia. In the last few years, activities and visibility of the nationalist and far-right groups have increased significantly. As practice shows, the Georgian far-right movement can draw on a deep well of ethnic-nationalist sentiments.² A majority of ethnic Georgians reportedly see ethnic and linguistic minorities as a potential security threat.³ The identity of the Georgian nation is an important issue for the nationalist movements. Their ideology contains myths about the uniqueness of Georgians.⁴ These groups have a serious impact on social equality and justice.

Due to failures of State Policy, the Azerbaijani community and the other ethnic minorities, among the different vulnerable social groups, experience various forms of discrimination and social exclusion. The Azerbaijani community is poorly represented and remains on the margins of the State. Responsible governmental bodies lack the capacity to create conditions for the effective participation of the members of the different ethnic groups in cultural, social, and economic life. Dominant discourse perceives members of the ethnic minorities as aliens to Georgia, even though they are Georgian citizens. The minority-related policies are predominantly managed from the security perspective, which undermines integration.⁵ On July 13, 2021, the Government of Georgia approved the State Strategy for Civil Equality and Integration 2021-2030 and adopted Action Plan 2021-2022⁶ shortly after. However, neither the strategy nor the action plan takes into account the specific circumstances and special needs of the Azerbaijani community.

While the State Strategy sets out five strategic directions⁷ of the integration policy, the strategy document completely lacks a vision for development based on the specific needs and opportunities of

² Freedom House, A New Eurasian Far-right Rising: Reflection on Ukraine, Georgia, and Armenia, 2020, p. 4, see: https://freedomhouse.org/sites/default/files/2020-02/FarRightEurasia_FINAL_.pdf

³ CRRC Georgia, Future of Georgia, Survey Report, 2021, p. 17, see: https://crrc.ge/uploads/tinymce/documents/Future%20of%20Georgia/Final%20FoG_Eng_08_04_2021.pdf

⁴ Open Society Georgia Fund, Ultranationalist Narrative of Online Groups in Georgia, 2019, p. 44, see: <https://osgf.ge/en/publication/ultranationalist-narrative-of-online-groups-in-georgia/>

⁵ Coalition for Equality, Human Rights Council Universal Periodic Review (third cycle, 37th session, 2020), p. 21, see: http://www.equality.ge/wp-content/uploads/2020/07/CSO-Report_UPR37_Georgia_UPR.pdf

⁶ State Strategy for Civil Equality and Integration, and Action Plan, see: <https://smr.gov.ge/en/page/31/state-strategy-for-civic-equality-and-integration-and-action-plan>

⁷ Ibid.

the regions densely populated by ethnic minorities.⁸ Based on the general form of the strategy, it is unclear how these policies, in practice, would increase involvement, participation, and access for non-dominant ethnic groups.⁹ Implementation and monitoring mechanisms of both the strategy and action plan remain problematic as well. As practice shows, action plans often have more technical content and do not in practice allow for proper measurement of the achievement of large-scale tasks.¹⁰

Additionally, the strategy does not contain any proposals for special mechanisms and approaches to promote the political participation of ethnic minorities and leaves this issue unaddressed.¹¹ So far Georgian legislation does not recognize any special provisional mechanisms such as quotas or reserved seats to ensure equal political participation for the members of the ethnic minorities. Furthermore, the interests of these groups are not represented by political parties. Analysis of the parties' pre-election perspectives for the Parliamentary elections 2020 shows that the majority of their programs do not single out the issue of the ethnic minorities in separate chapters or subchapters.¹² The issues related to the special vulnerability of the members of the non-dominant ethnic groups and their limited access to public services, vital resources, and social infrastructure remain even more unrecognized.¹³

The failure of the integration policies became highly visible on May 16-17, 2021. On May 16, a conflict broke out between the ethnic Georgians and ethnic Azerbaijanis in Dmanisi, a densely populated town in southern Georgia with a large ethnic Azerbaijani population. The conflict continued a second day, on May 17. The conflict started for personal reasons, but it turned into a large-scale confrontation and violence between ethnic Georgians and members of the Azerbaijani community.¹⁴ Instead of using

⁸ Social Justice Center, Critical Analysis of the State Strategy for Civil Equality and Integration, 2021, p. 8, see: https://socialjustice.org.ge/uploads/products/covers/ENG-StrategyDocumentEvaluation_1634294194.pdf

⁹ Ibid.

¹⁰ Ibid.

¹¹ Ibid.

¹² Social Justice Center, Equality Policy in the Parties' Pre-election Perspectives – 2020, p. 4, see: https://socialjustice.org.ge/uploads/products/pdf/Equality_in_Political_Parties_Programs_1606809839.pdf

¹³ Ibid.

¹⁴ Social Justice Center, Response of the SJC to the ongoing Process in Dmanisi, 2021, see: <https://socialjustice.org.ge/en/products/sotsialuri-samartlianobis-tsentr-is-gamokhmaureba-dmanisshi-mimdinare-protsezebze>

proportional and adequate legal mechanisms, the authorities tried to handle the situation only informally.¹⁵ Later that day, the Minister of Internal Affairs responded to the conflict, called Azerbaijan “our strategic partner, our ally, our friend” and insisted that what happened was not an ethnic conflict.¹⁶ Despite the scale of the conflict and public backlash, the governmental bodies did not undertake any special measures to help create a peaceful environment between ethnic Georgian and Azerbaijanis, or the other ethnic and religious groups living in densely populated areas of the country.

II. Violations of the Covenant rights of the Azerbaijani community

A. Denial of the right to use a surname in a linguistic form that reflects Azerbaijani identity

The family names of ethnic Azerbaijanis in Georgia typically end with the Russian Suffixes – ov, -ova, -ev, -eva. These surnames with Russian suffixes were given since the 1840s under the Russian Empire and especially during the Soviet Union.¹⁷ Members of the Azerbaijani community would like to change their surnames to remove the Russian suffixes and to reflect their own identity, but Georgian law does not allow them to do so. Although Georgian law allows for changes of surnames in some circumstances, it does not permit such changes in the circumstances of the Azerbaijani community, thus discriminating against the Azerbaijani community. According to the Law of Georgia on Civil Status Acts, a citizen of Georgia, whose birth has been registered in Georgia, may change his/her surname.¹⁸ A person may change his/her surname and take the surname of one of his/her direct ascendants (including the fourth generation relatives (grandmother and grandfather of a grandmother/grandfather)).¹⁹

¹⁵ Civil.ge, Massive Disturbances in Dmanisi After Local Shop Incident, 2021, see: <https://civil.ge/archives/419991>

¹⁶ OC-Media, Georgian Government Denies “Ethnic conflict” Amidst Clashes in Dmanisi, 2021, see: <https://oc-media.org/georgian-government-denies-ethnic-conflict-amidst-clashes-in-dmanisi/>

¹⁷ For further information see: <https://www.facebook.com/SalamPlatform/videos/2782068378717113/>. It should be noted that other minority ethnic groups in Georgia (for instance, Yazidis) have had similar historical experiences.

¹⁸ Law of Georgia on Civil Status Acts, art. 62, cl. 1, see: <https://matsne.gov.ge/en/document/view/1541247?publication=21>

¹⁹ Ibid.

But despite the existence of this legal mechanism, most Azerbaijanis are not able to change their surnames. To change one's surname, a person needs documentary proof of their ancestor's use of their preferred surname. But Georgian civil registry archives do not have data on family names dating back to the pre-Soviet period. Additionally, many ethnic Azerbaijani births were never recorded in the civil registries, so family names for many families do not appear in the civil registry archives. Without proof in the civil registry of prior ancestral names, it is not possible under Georgian legislation to change one's surname. To add to this problem, civil registry authorities informally advise applicants against trying to change their surnames.²⁰

In August 2021, Platform Salam organized a civil campaign #ReturnMySurname. The activists involved in the campaign demanded to have the Russian ending of their surnames changed to Azerbaijani. Due to the campaign, the activists started collecting signatures to support legislation that would allow ethnic Azerbaijanis and other ethnic groups to remove or alter Russian endings from their last names. As a result, "Salam" collected about 27,000 signatures. However, on November 8, 2021, the Bureau of the Parliament of Georgia refused to submit the bill for consideration. The decision was appealed to the court, but the court did not uphold the lawsuit. Although in May 2022, the Parliament of Georgia prepared an alternative bill on the right to change surnames that have non-authentic, non-historical suffixes, the proposed bill has several serious shortcomings. The bill was developed in a "closed door" manner, with no involvement of the Azerbaijani community. Additionally, as of this writing, it is not certain that the bill will be adopted.

This Committee has previously recognized "the right to choose and change one's own name," and has expressed concern where a State's language policy impaired the enjoyment of that right, without discrimination, by members of linguistic minorities.²¹ The Committee has noted that a "person's

²⁰ OC-Media, Azerbaijani Activists in Georgia Want Family Names "Liberated from Occupation", 2021, see: <https://oc-media.org/features/azerbaijani-activists-in-georgia-want-family-names-liberated-from-occupation/>

²¹ Human Rights Committee, Concluding observations on the third periodic report of Latvia (adopted Mar. 2014), UN Doc. No. CCPR/C/LVA/CO/3, ¶ 7, see: <https://uhri.ohchr.org/en/document/35ab0c76-dfc0-4d6f-b3ea-c905dad88468>

surname constitutes an important component of one's identity," finding a violation of Article 17 when Latvian authorities changed the complainant's Russian, Jewish name to a Latvian version of the name.²²

The UN Special Rapporteur on Minority Issues, in her handbook on "Language Rights of Linguistic Minorities," has also recognized the importance of "the linguistic form of a person's own name."²³ He explained:

"Central to the rights of minorities is the promotion and protection of identity. This is also deeply significant in relation to private life and dignity. For many individuals, one of the most important markers of their identity is their own name in their own language. As language is central to human nature, culture and social identity, respect for the linguistic form of a person's name must therefore not only be tolerated but protected and respected."²⁴

Accordingly, the Special Rapporteur concluded, to comply with obligations set forth in numerous human rights treaties, including Articles 17, 24, 26 and 27 of the Covenant, "[a] person's own identity, in the form of one's own name or surname in a minority language, must be respected, recognized and used by the state authorities."²⁵ By failing to allow ethnic Azerbaijanis to remove Russian suffixes from their surnames, especially while allowing surname changes in other circumstances, Georgia is violating the rights of the Azerbaijani community under Articles 17, 24, 26 and 27.

B. Discrimination in education, through the failure to provide opportunities for Azerbaijani students to attain proficiency in the national language

²² Raihman v. Latvia, UN Human Rights Committee, CCPR/C/100/D/1621/2007, 28 October 2010, ¶¶ 8.2-8.3.

²³ UN Special Rapporteur on the Rights of Minorities, Language Rights of Linguistic Minorities: A Practical Guide for Implementation (Mar. 2017), p. 12, see:

https://www.ohchr.org/sites/default/files/Documents/Issues/Minorities/SR/LanguageRightsLinguisticMinorities_EN.pdf

²⁴ Ibid., p. 27.

²⁵ Ibid.

For many years already, the biggest challenge for ethnic minorities in Georgia is a lack of knowledge of the State language. The language barrier hinders the social integration of the members of the Azerbaijani community in Georgia. Among its many ill effects, the language barrier makes it impossible for most Azerbaijanis to access higher education. Without a university education, they are shut out of many opportunities in employment and public life. While it is commendable that primary and secondary education in Azerbaijani communities is conducted in the Azerbaijani language, the failure to also teach children the national language is a human rights violation that burdens them for life. For more than a decade, no new programs or policies for enhancing inclusive access to education for the ethnic minorities have been developed by governmental bodies.²⁶

The steps taken by the State to promote language instruction in primary and secondary education are insufficient. A multilingual (bilingual) teaching model, which is supposed to be one of the priorities of the State, is still unfulfilled in practice.²⁷ Notably, the qualification of teachers and the lack of a unified strategy for their training remain problematic, as is attracting bilingual teachers and involving them in the education system.²⁸ The problem is especially visible in the regions densely populated by the ethnic Azerbaijanis or the other ethnic groups. The State Strategy for Civil Equality and Integration 2021-2030 does not address this problem properly. Instead of pointing to the need for systemic change, the strategy continues to rely on the existing, failed programs.²⁹

Access to higher education is critically challenging. In order to enroll at universities, the majority of Azerbaijani-speaking applicants are entitled to take only one university entrance exam (general skills) in Azerbaijani. Those who are admitted study the Georgian language during the first year, before going on

²⁶ Open Society Georgia Foundation, Implementation of EU-Georgia Association Agenda 2017-2020, Assessment by Civic Society, 2021, p. 31, see:

https://osgf.ge/wp-json/wi/validate/v1/file?wifile=wp-content/uploads/2021/12/IMPLEMENT_OF_EU-GEORGIA_PRINT_28_02_2020.pdf

²⁷ Public Defender (Ombudsperson) of Georgia, Report on the Situation of Protection of Human Rights and Freedoms in Georgia, 2021, p. 321, see: <https://www.ombudsman.ge/res/docs/2021070814020446986.pdf>

²⁸ Ibid.

²⁹ ²⁹ Social Justice Center, Critical Analysis of the State Strategy for Civil Equality and Integration, 2021, p. 3, see: https://socialjustice.org.ge/uploads/products/covers/ENG-StrategyDocumentEvaluation_1634294194.pdf

to the normal four years of university study. The Georgian Language Training program, known as the “1+4 program,” was launched in 2010. The Program aims to teach the official language of Georgia to the members of ethnic minorities (Azerbaijanis, Armenians, Abkhazs, Ossetians) who cannot speak Georgian. The purpose of the program is to support non-Georgian speaking students in acquiring the Georgian Language skills – writing, reading, listening, and speaking – that are necessary for their university studies.

While this program is an important one, its effectiveness is very limited due to the low level of funding provided by the State. The high cost of the program and the generally low socio-economic status of Azerbaijani students make participation in this program virtually impossible for students whose costs are not covered by the State. Due to the low level of funds allocated by the State for the relevant language groups, most students who need this program remain without funding.³⁰ This problem has worsened over time, as the number of students eligible to participate has increased significantly since the 2010 inception of the program. According to the ordinance (N283) of the Government of Georgia on the amount of the State education grants and program funding, the annual amount of the State education grant for Georgian-speaking students is 12,600,000 GEL (awarded on the basis of the Unified National Examinations). However, the funding system is different for non-Georgian-speaking students. The State grant funding for students who are offered admission in the 1+4 program based on their scores on the Unified National Examinations administered in the Azerbaijani, Armenian, Abkhazian, or Ossetian languages is only 225,000 GEL (for each ethnic group).³¹ As a result, only 100 students from each ethnic group have an opportunity to receive the State grant. According to the results of the Unified National Examinations in 2020, only 10.4% of the 1223 minority language entrants received a State education scholarship. This shows that a large proportion of students belonging to national minorities are left without the funding they need to attend the program.³²

³⁰ Public Defender (Ombudsperson) of Georgia, Special Report on Situation of Equality and Combating and Preventing Discrimination, 2022, p. 21, see: <https://www.ombudsman.ge/res/docs/2022022413261538101.pdf>

³¹ Disclaimer: typically, the annual payment for the state universities is 2,250 GEL

³² Public Defender (Ombudsperson) of Georgia, Report on the Situation of Protection of Human Rights and Freedoms in Georgia, 2021, p. 322, see: <https://www.ombudsman.ge/res/docs/2021070814020446986.pdf>

Due to the language barriers, the members of the Azerbaijani community, as well as the other ethnic groups, are unable to properly enjoy public services. This challenge arises systematically, especially when receiving health care services, mainly due to the challenges in the field of primary health care in rural areas.³³ Communication problems have also been identified in institutions providing services necessary for the realization of social and economic rights of the different ethnic minorities, such as the Houses of Justice, territorial offices of the Social Service Agency, and branches of commercial banks.³⁴ What's more, despite the right to adequate information about State programs and public services in a language understandable to non-dominant ethnic groups, the realization of this right in Georgia is problematic even in cases directly guaranteed by law. Even in the regions densely populated by ethnic Azerbaijanis, public information is usually only available in Georgian.

The State's failure to adopt measures to ensure that Azerbaijani students have the opportunity to become proficient in the national language during elementary and secondary school constitutes a form of discrimination against these children. As is recognized in the Convention on the Rights of the Child, the central purposes of education must include "[t]he development of the child's personality, talents and mental and physical abilities to their fullest potential," and "[t]he preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin."³⁵ These goals cannot be achieved for ethnic Azerbaijani students to the same extent as for ethnic Georgian students, without providing Azerbaijani students with adequate language instruction to attain proficiency in the national language.

The UN Special Rapporteur on Minority Issues has emphasized the right to be taught the national language:

³³ Public Defender (Ombudsperson) of Georgia, Special Report on Situation of Equality and Combating and Preventing Discrimination, 2022, p. 21, see: <https://www.ombudsman.ge/res/docs/2022022413261538101.pdf>

³⁴ Ibid.

³⁵ Convention on the Rights of the Child, art. 29(1)(a) and (d).

“One aspect that is absolutely clear from an international legal point of view is that whatever the degree of use of a minority language as a medium of instruction, in private or public schools, students must always be afforded the opportunity of learning the official or majority language. . . . Put differently, whatever model or approach is in place in relation to the use of a minority language as a medium of instruction, children must always have an opportunity to effectively learn the official or majority language where they live.”³⁶

Georgia’s failure to implement effective measures to enable Azerbaijani elementary and secondary students to acquire proficiency in the Georgian language violates this obligation.

In view of its failure to provide the necessary Georgian language instruction at the elementary and secondary levels, the State’s failure to provide sufficient funding to make the 1 + 4 program available to all eligible Azerbaijani students discriminates against them in access to higher education.

While it is true that what is called for here might be considered special measures in favor of Azerbaijani children and university students, that does not diminish the State’s obligation to implement such measures. As this Committee has long recognized, such special measures are sometimes not only permissible but required:

“[T]he principle of equality sometimes requires States parties to take affirmative action in order to diminish or eliminate conditions which cause or help to perpetuate discrimination prohibited by the Covenant. For example, in a State where the general conditions of a certain part of the population prevent or impair their enjoyment of human rights, the State should take specific action to correct those conditions.”

³⁶ UN Special Rapporteur on the Rights of Minorities, Education, language and the human rights of minorities, UN Doc. No. A/HRC/43/47 (9 Jan. 2020), ¶¶ 65-66, see: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G20/003/58/PDF/G2000358.pdf?OpenElement>

This is such a case. There is no way that the Azerbaijani ethnic and linguistic minority can enjoy Covenant rights on an equal basis with others unless the State, through its education programs, provides the opportunity to attain proficiency in the national language.

C. Discrimination against the Azerbaijani minority during the COVID-19 pandemic

The COVID-19 pandemic highly affected the most vulnerable groups and deepened inequalities in society. While there have been negative economic and social implications due to restrictions on society as a whole, the ethnic minorities have seemed to be more affected by the pandemic. The members of the ethnic minorities were three times more likely than ethnic Georgians to have lost their jobs.³⁷ What's more, as more people have been confined to their homes due to the pandemic, it has exposed vulnerable people (mostly women and girls) to increased threats of domestic violence and discrimination.³⁸ Unfortunately, throughout Georgia, the awareness of existing services for survivors of domestic violence remains low, but the situation is worse for members of ethnic minorities. A study conducted by the United Nations Population Fund (UNFPA) showed that awareness of these crucial services was significantly lower among the representatives of ethnic minorities.³⁹

Due to the COVID-19 pandemic, the ethnic minorities, including the members of the Azerbaijani community, faced forced social isolation. On March 23, 2020, after a single case of infection was identified in Marneuli municipality, Marneuli and Bolnisi municipalities were declared quarantine zones. In Marneuli (83%) as well as in Bolnisi (63.4%), an absolute majority of the population are ethnic Azerbaijanis.⁴⁰ However, the Government did not provide local people with the necessary information in minority languages. The only way for the ethnic minorities to be informed about the pandemic was

³⁷ UNFPA, Pandemic deepened gender inequalities in Georgian society, study reveals, 2021, see:

<https://georgia.unfpa.org/en/news/pandemic-deepened-gender-inequalities-georgian-society-study-reveals>

³⁸ UNFPA, Second Wave of the Rapid Gender Assessment of the COVID-19 Situation in Georgia, 2021, p. 59, see:

https://georgia.unfpa.org/sites/default/files/pub-pdf/undp_ge_dg_covid_gender_assessment_2021_eng.pdf

³⁹ Ibid.

⁴⁰ Coalition for Equality, the Rights to Non-discrimination in Practice for Various Groups in Georgia, 2020 Report, 2021, p. 67, see: http://equalitycoalition.ge/files/shares/DISCRIMINATIA_2021_ENG_21_09_1.pdf

through the Public Broadcaster's web portal or the simultaneous translation of the 9 p.m. edition of the news program.⁴¹ While the State later translated relevant online resources into minority languages, this was not an adequate means of communicating critical information with the Azerbaijani community, because access to internet resources is very limited among people living in remote areas.⁴² Due to the lack of information in the Azerbaijani language, the population, including people living in the quarantine zones, did not have detailed information on the imposed rules, disease prevention or the measures to be taken by them.⁴³

Among the other challenges, the quarantine regimes in Marneuli and Bolnisi encouraged discriminatory attitudes towards ethnic minorities (mostly towards the Azerbaijani community), reinforced the stigma, promoted the disintegration process, and encouraged social exclusion.⁴⁴ Xenophobic comments and hate speech against ethnic Azerbaijanis began on social media, in response to which the high-ranking state officials did not make appropriate statements in support of equality.⁴⁵

Moreover, coronavirus-related regulations and restrictions disproportionately affected non-dominant religious groups. The Government prohibited movement and presence in public space from November 28, 2020, to January 31, 2021, including after 21:00. An exception was made so that the restriction did not apply to the 6 January Christmas night, a religious holiday celebrated by members of the Georgian Orthodox Church, which is the overwhelmingly dominant religion in Georgia. But the statement issued

⁴¹ Disclaimer: from the day of the declaration of the state of emergency, the Public Broadcaster posted on its website information about the pandemic-related situation and restrictions in the Azerbaijani and Armenian languages. Video clips about COVID-19 that were translated into minority languages were broadcast and the website in seven languages is accessible 24/7, see: Public Defender (Ombudsperson) of Georgia, Report On the Situation of Protection of Human Rights and Freedoms in Georgia, 2021, available at: <https://www.ombudsman.ge/res/docs/2021070814020446986.pdf>

⁴² Ibid.

⁴³ Public Defender (Ombudsperson) of Georgia, Statement on Quarantine Regime in Bolnisi and Marneuli Municipalities, 2020, see: <https://www.ombudsman.ge/eng/akhali-ambebi/sakhalkho-damtsvelis-gantskhadeba-bolnisisa-da-marneulis-munitsipalitetebsi-gamotskhadebul-sakarantino-rezhimtan-dakavshirebit>

⁴⁴ Public Defender (Ombudsperson) of Georgia, Statement in Support of People Living in Marneuli and Bolnisi Municipalities, 2020, see: <https://www.ombudsman.ge/eng/akhali-ambebi/gantskhadeba-marneulis-da-bolnisis-munitsipalitetebsi-mtskhovrebi-adamianebis-mkhardasacherad>

⁴⁵ Coalition for Equality, the Rights to Non-discrimination in Practice for Various Groups in Georgia, 2020 Report, 2021, p. 68, see: http://equalitycoalition.ge/files/shares/DISCRIMINATIA_2021_ENG_21_09_1_.pdf

by the Government made no mention of any similar exception for the holidays of minority religions, which might also be celebrated at night in the same time period.

On December 21, 2020, the Public Defender (Ombudsperson) of Georgia addressed the Government of Georgia with a general proposal and called on it to take into account the needs of religious organizations within the framework of regulations against coronavirus.⁴⁶ Nevertheless, discriminatory and selective regulations remained a challenge during the pandemic. In March 2021, the Government imposed travel restrictions before the Nowruz Holiday, a holiday celebrated by Muslims. The members of the Azerbaijani community and activists sent an official letter to the Government of Georgia on March 18 to lift the restrictions on the Nowruz holiday. Unfortunately, the authorities first submitted the application to the Agency for Religious Issues for consideration and ultimately refused to satisfy it.⁴⁷

Through these actions and inactions, the State has discriminated against the Azerbaijani community in relation to the COVID-19 pandemic.

III. Proposed Recommendations

- Adopt a new bill to enable Georgian citizens to return to their authentic surnames. The draft bill by the Salam Platform could be a basis for the bill. Moreover, the preparation process of the bill should be inclusive and participated in by the ethnic minorities;
- Develop a special strategy for the education rights of ethnic minorities in Georgia. The central government (in cooperation with the local authorities and community leaders from the ethnic minority communities) should prepare an action plan that will;
 - a. Increase the access of ethnic minority children to the preschool education;

⁴⁶ Public Defender (Ombudsperson) of Georgia, Public Defender Calls on Government to Protect Equality of Religious Associations when Imposing Pandemic-related Restrictions, 2020, see: <https://www.ombudsman.ge/eng/akhali-ambebi/sakhalkho-damtsvelma-sakartvelos-mtavrobas-pandemiastan-dakavshirebuli-shezhudvebis-datsesebisas-religiuri-gaertianebebis-tanastorobis-uflebis-datsvisken-moutsoda>

⁴⁷ Public Defender (Ombudsperson) of Georgia, Public Defender's Address to Government of Georgia, 2021, see: <https://www.ombudsman.ge/eng/akhali-ambebi/sakartvelos-sakhalkho-damtsvelis-mimartva-sakartvelos-mtavrobas>

- b. Focus on the quality of the education of ethnic minorities at schools where ethnic minorities will have the access to bi-lingual education. Moreover, the school textbooks should proactively reflect the diversity of Georgia in terms of culture, religion, and ethnicity. Last but not least, the education system should support the teachers from the minority regions with additional trainings, qualifications, and programs;
 - c. Increase the funding of the “1+4 program” and make the Georgian language preparation course (the first year of the “1+4 program”) free for the citizens of Georgia;
 - d. End discrimination of the beneficiaries of the “1+4 program” where they are not able to participate in the priority program of universities (such as agriculture, engineering, etc.) and study at that programs;
 - e. Enable 1+4 program beneficiaries to participate in other social programs, benefits, and services that are accessible to ordinary students in Georgia;
- Prepare the Georgian government, Media organizations, and related bodies to consider the needs, challenges, and experiences of the ethnic minorities in times the crises similar to the COVID-19 pandemic;
 - Form an advisory and consultative council of ethnic minorities with the executive and legislative bodies of the Georgian government to strengthen the communication channels between community leaders from minority regions and decision-makers.