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GEORGIA: Two leaders of religious violence finally sentenced - but what about the others?

By Felix Corley, Forum 18 News Service <<http://www.forum18.org>>

Two prominent leaders of large-scale violence against religious minorities, Fr Basil Mkalavishvili and Petre Ivanidze, have been given jail sentences, but Forum 18 News Service has been told that many other attackers remain free and unpunished, as individual attacks and sectarian hostility continue. "Of course I'm pleased by the prison sentences, but I know no-one else will ever face trial for any of these many attacks," Orthodox priest Fr Basil Kobakhidze told Forum 18 gloomily. "Dozens of people if not more - including priests of the Georgian Orthodox Patriarchate - should be on trial, but they never will be." Interior Ministry press secretary Guram Donadze declined any official comment, but stated "as a private individual", that others should be tried for their involvement in religious violence. Mkalavishvili and Ivanidze's lawyers are going to appeal against the sentences. Forum 18 knows of no other trials pending for violent attacks against members of religious minorities.

On 31 January, at the end of a long-running case, the judge at Tbilisi's Vake-Saburtalo district court sentenced Fr Basil Mkalavishvili, who led a five year campaign of terror against religious minorities, to six years' imprisonment and his chief associate Petre Ivanidze to four years. The prosecutor Mamuka Kereselidze had called for a seven-year sentence for Mkalavishvili and a six-year sentence for Ivanidze. Their lawyers are going to appeal against the sentences to the regional court and, if that fails, to the Supreme Court. Also given lesser sentences were five others, but not for attacks on religious minorities - only for violently resisting arrest in March 2004.

Basil Mkalavishvili inaugurated his terror campaign against religious minorities on 17 October 1999, when he led a violent mob raid on 120 Jehovah's Witnesses meeting in the Tbilisi suburb of Gldani. Sixteen Jehovah's Witnesses required hospital treatment and one mother of two, Pati Tabagari, suffered permanent damage to one eye after being hit on the head. Although 70 Jehovah's Witnesses filed complaints with the city prosecutor's office, Mkalavishvili and his supporters have never been punished for this and numerous other attacks. Mkalavishvili was proud of his hundreds of attacks, even openly distributing video tapes of them.

On 31 January, when he and his chief associate Petre Ivanidze, were finally sentenced to prison, only three attacks of dozens on Jehovah's Witnesses and Baptists were included in the case. "Of course I'm pleased by the prison sentences, but I know no-one else will ever face trial for any of these many attacks," Orthodox priest Fr Basil Kobakhidze told Forum 18 News Service gloomily from Tbilisi on 1 February. "Dozens of people if not more - including priests of the Georgian Orthodox Patriarchate - should be on trial, but they never will be."

Interior Ministry press secretary Guram Donadze declined any official comment on the sentences, declaring that this is a matter for the courts. However, he declared that "as a private individual", he believes others should be before the courts for their involvement in the years of religious violence. "The prosecutor's office must draw up indictments," he told Forum 18 from Tbilisi on 1 February. However, he claimed that some other investigations are already underway, though he said he had no details.

Levan Ramishvili, head of the Tbilisi-based Liberty Institute, who was among six of its staff injured during an unpunished mob attack in July 2002 to punish its support for the victims of the religious violence, cautiously welcomed the two prison sentences. "It's a good sign, but the indictment covered only a tiny percentage of the crimes Mkalavishvili and his followers committed," Ramishvili told Forum 18 from Tbilisi on 1 February. "The prosecution was launched in the Shevardnadze period, when prosecutors weren't interested in a sincere investigation. It was just being done for show."

He pointed out that neither Mkalavishvili nor Ivanidze pleaded guilty. "They maintained their innocence throughout, banking on the fact that the prosecution would not be able to get any proof because of intimidation of witnesses," Ramishvili told Forum 18. "Although they now sound more conciliatory and don't say openly they will attack Jehovah's Witnesses and burn their literature, they don't admit they did anything wrong."

He reported that the Liberty Institute is studying the indictment to prepare a dossier of all Mkalavishvili's alleged crimes to be made public and presented to the prosecutor's office. "We are starting with his crimes, and we expect the prosecutor's office will then take action."

Ramishvili also highlighted the "very nervous atmosphere and climate of intimidation" in the courtroom against witnesses who had suffered from the violence. "We need a law on witness protection and will present a draft text for parliament to consider," he told Forum 18.

During the reign of terror, Baptists, Pentecostals, Jehovah's Witnesses, Catholics and True Orthodox suffered repeated mob attacks, destruction of places of worship, burning of religious literature and physical injuries to individual believers. Such raids were led by a variety of organisations and individuals, some of whom were part of the Georgian Orthodox Patriarchate. In three earlier trials, seven individuals received only suspended sentences for their part in such raids (see F18News 18 January 2005 http://www.forum18.org/Archive.php?article_id=492). The vast majority of those involved in the estimated nearly 200 attacks have never been prosecuted. Since the change of regime in Georgia in late 2003, such attacks have diminished, but continue.

Opinion in Georgia is divided over how to overcome what Baptist Bishop Malkhaz Songulashvili described to Forum 18 as "the terrible legacy" of past large-scale religious violence and continuing individual attacks and sectarian hostility (see F18News 27 January 2005 http://www.forum18.org/Archive.php?article_id=499). Many, like Bishop Songulashvili, believe that "how this violence started, how it developed and who organised it has to be known," otherwise he told Forum 18 "it will still be festering five years on." But the Georgian Orthodox Patriarchate does not believe that it is necessary to investigate the root causes of the violence.

Fr Mkalavishvili is a priest under the jurisdiction of Greek Old Calendarist bishop Metropolitan Cyprian of Oropos and Fili. Forum 18 was unable immediately to reach Ambrose Agiokyprianitis, Bishop of Methoni, Greece, who has direct jurisdiction over the priest, to find out what action if any he would be taking against him in the wake of the guilty verdict.

Jehovah's Witness lawyer Manuchar Tsimintia - who personally witnessed the mob raid Mkalavishvili led on the ombudsman's office in Tbilisi in January 2001 - declined to give his personal view on the two sentences, the first prison sentences handed down to anyone for their role in the five-year reign of terror. "Mkalavishvili violated the criminal code and the court found him guilty," Tsimintia told Forum 18 on 1 February. He pointed out that both sentences were lower than the prosecutor had demanded, and that Mkalavishvili was guilty of leading "more than just three incidents".

Tsimintia maintains that Mkalavishvili's mob had about ten "regular, active members" who played a serious role in the attacks. "These others have not been punished," he noted.

Ramishvili is unsure whether anyone else will ever be brought to trial for attacking religious minorities. "It is hard to say if there will be such trials, but I hope so. Others were responsible, including people from the Patriarchate and the government." He believes the main organisers of the violence were the then minister of national security and the government of Eduard Shevardnadze as a whole. "It is still possible to find evidence of their involvement - that's one of our objectives," he told Forum 18. "President Saakashvili has done nothing on this because he knows it is not a popular cause."

Fr Kobakhidze was among several priests suspended from performing priestly functions by the Holy Synod last December, for opposing the Patriarchate's hostility to other Christian denominations in a context of violent physical attacks against them by 'Orthodox' vigilantes. He believes that violence against minorities will continue as long as the atmosphere of "religious nationalism" prevails in Georgia. "If Mkalavishvili was released he would again take up violence under the slogan 'Orthodoxy is in danger!'," he declared. "But the psychological atmosphere in which Mkalavishvili operated was created by the Patriarchate. Sermons are full of xenophobia, extremism and nationalist ideology."

He maintains that the current government is merely continuing the "religious nationalism" of the Shevardnadze regime. "The Patriarchate has become the ideologist for the government and has signed many agreements with government agencies," he told Forum 18. "Only on 28 January it signed an agreement with the Education Ministry."

For background information see Forum 18's Georgia religious freedom survey at http://www.forum18.org/Archive.php?article_id=400

A printer-friendly map of Georgia is available at

<http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=georgi>

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