

THE LEGAL STATUS OF MIGRANTS IN GEORGIA

AMID AND BEYOND THE COVID PANDEMIC

2020-2021 (JUNE)

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REPORT



TOLERANCE & DIVERSITY INSTITUTE

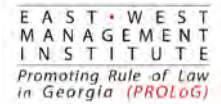
TOLERANCE AND
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INTRODUCTION

In 2020–2021, the practice of unjustified refusal on the grounds of state security in the process of obtaining a residence permit remained a problem for migrants in Georgia. The issue is also problematic for asylum seekers when granting them refugee or humanitarian status. The existing state-imposed bureaucratic obstacles applicable to obtaining a residence permit were further enhanced by additional legal regulations, which further complicated the conditions for foreign nationals to arrive and live in Georgia legally.

The issue of timely and effective response by the prosecutor's office and investigative bodies to hate crimes motivated by racial, national, or ethnic intolerance and negative public attitudes towards the nationals of specific countries continue to be a significant problem in Georgia.

The public health crisis caused by COVID-19 has had different effects on different groups of society. Commonly more vulnerable individuals are at a greater risk. Among them are migrants who, due to various legal regulations and policies, stigma and discrimination, linguistic and cultural differences, socio-economic status, lack of information, and many other circumstances, have less access to public services.

A number of systemic problems were identified throughout the pandemic. These include access to information for foreigners in Georgia, barriers to access to public services, access to health and social programs, barriers to crossing the Georgian state border, new challenges caused by the Pandemic affecting the international students in Georgia, etc.

To increase the effectiveness of dealing with a problem during a public health crisis, it is vital that public and health services and forms of communication are as inclusive as possible and tailored to the needs of all groups in society.

The Report aims to review and analyse the legal and political aspects of the human rights situation of migrants in Georgia between 2020 and June 2021, including racism and xenophobia, which are examined in light of the COVID-19 virus.

Various research tools were used in the Report preparation process, including the content analysis method, analysis of the relevant legislation and practices and policies, documents, reports from international and local organizations, and public information requested from the executive and judiciary bodies. The Report also draws on the TDI interviews and the outcome of the legal proceedings on specific cases. State policies and practices are assessed according to constitutional and international human rights standards.

REPORT SUMMARY AND KEY FINDINGS

- ▶ A number of systemic problems were identified amid the pandemic. This included access to information for migrants in Georgia, barriers to access to public services, access to health and social programs, barriers created when crossing the Georgian state border, new challenges shaped by the pandemic for international students in Georgia, etc.
- ▶ Foreign nationals of certain countries point out that they faced increased xenophobic, racist, and discriminatory attitudes in both public and private spaces during the pandemic.
- ▶ In terms of access to information amid the COVID-19 pandemic, information for migrants was not faultlessly systematized and concentrated in one space. Consequently, foreigners found it challenging to access and analyse data.
- ▶ During the pandemic, as most public services went online, the access of migrants to public services has significantly deteriorated. Foreigners also faced obstacles in accessing health and social services.
- ▶ The targeted state aid programs developed by the government have been extended only to persons with a permanent residence permit and refugee or humanitarian status. Foreign nationals and stateless persons with other legal statuses were excluded from state aid.
- ▶ Numerous obstacles have been created in terms of the entry and exit of foreign citizens to and from Georgia. According to the regulations imposed due to the pandemic, entry restrictions were extended to foreigners with Georgian residence permits.
- ▶ International students had problems both with the study process and returning to Georgia. Indian students faced particularly harsh obstacles. In 2021, the restrictions for traveling from India to Georgia were tightened due to which many students cannot return to Georgia. Part of the universities did not consider the difficult situation of the students caused by objective circumstances.
- ▶ In May 2021, Batumi Shota Rustaveli University began proceedings of suspending student status for about 150 Indian students who could not return to Georgia due to the epidemic and travel restrictions. Later, by order of the Minister of Education and Science, the universities were instructed not to suspend Indian students who could not come to Georgia due to the pandemic.

- ▶ The government still does not have a specific strategy and policy to protect foreign nationals from racial discrimination. Analysis of the current legal situation, statistics, or practices confirms that, as in previous years, policies of a discriminatory nature towards foreigners are maintained.
- ▶ The practice of unjustified refusal of resident permits continues. Based on the conclusion of the State Security Service, for years, the refusal of residence permits on the grounds of state security has been used by the state as a means to restrain the flow of migrants artificially. The government most often uses this practice against citizens from African and Asian countries.
- ▶ In 2020, the practice of unjustified refusal of residence permits was maintained. Overall, 1,907 (94%) of the 2,018 unsatisfied applications were revoked based on state security reasons.
- ▶ In 2021, the regulations for obtaining a residence permit in Georgia have been further tightened. With the new changes, it has become impossible for many people to apply for a residence permit. More people are at risk of deportation, which, considering the available statistics and government policies, affects foreign nationals from Asian and African countries.
- ▶ The competence to investigate crimes related to racial discrimination and violation of equality lays with the State Security Service (SSS). The TDI believes that bringing such crimes under the SSS authority indicates the state's inconsistent equality and human rights policies.

1. MIGRANTS' RIGHTS AND CHALLENGES AMID THE COVID-19 PANDEMIC

1.1. THE PROBLEM OF ACCESS TO INFORMATION

Although prior to the confirmation of the first case of coronavirus in Georgia, the government's stated task was to provide continuous public information,¹ there were some shortcomings in terms of access to information by the general public. This was especially noticeable in relation to foreigners living or temporarily staying in Georgia.

Access to information for foreigners was particularly problematic during the so-called first wave (spring 2020), during which the need to answer many questions in a timely manner arose. Issues related to the fight against and prevention of the virus and legal regulations introduced to prevent the spread of the virus were unknown. Therefore, different types of fears arose, such as how foreign nationals would be able to stay in Georgia or leave the country, how they would be able to earn an income, access various public services or health care, how foreign students would be able to continue their studies or get housing, and so on.

Lack of knowledge of the state language makes it difficult to access the necessary information. While it is true that the government set up an emergency platform www.stopcov.ge, which published information about the regulations in six different languages,² information about the legal status of foreigners was often fragmented. Information on the condition caused by COVID-19 and public services was also provided by other government websites, within the scope of their own competence. Consequently, the spread of information in an unsystematic form made it difficult for foreign nationals to find and analyse it. Information on regulations was available in several languages, including English, but timely posting or updating of information in foreign languages was often delayed. It should be

¹ Decree No. 164 of the Government of Georgia of 28 January 2020 "On the Approval of Measures to Prevent the Possible Spread of the Novel Coronavirus in Georgia and the Emergency Response Plan for Cases of Novel Coronavirus Disease", Article 3, paragraph "4".

² Report on measures taken by the Government of Georgia, 2020. p. 7, available at – http://myrights.gov.ge/uploads/files/docs/9341ENG_Human-Rights-during-COVID-19.pdf

noted that the information about the existence of the government platform www.stopcov.ge was unknown to many foreigners.

In addition, a unified government hotline 144 was set up. Yet reaching the hotline operator was extremely difficult, and the information provided by the operators was often mutually exclusive, vague or very general. It is noteworthy that the government also disseminated information in the form of short text messages through mobile operators, but only in Georgian. Thus, obtaining information this way was also problematic for foreigners.

It should be noted that various local or international organizations working on the rights and issues of foreigners have become a more reliable and time efficient source of information for some foreigners.³

1.2. BARRIERS IN ACCESSING PUBLIC SERVICES

Under the COVID Pandemic, foreigners' ability to access public services has deteriorated significantly. Most of the public services have moved to the online space. Some shortcomings were also identified in the remote services.

Especially noteworthy are the Public Service Halls (House of Justice) with which foreigners have the most contact, depending on their needs as regards residence permits or other services (ID card, receipt of various certificates or documents, extension of legal stay, etc.). Due to the problem of access to information, some foreigners were unaware that they had to apply online for an extension of their residence permit or the term of their legal stay in Georgia. They assumed that the Public Service Halls had stopped working while they could not get complete information through the hotline. Due to this, some foreigners were not able to apply before the agency within the time limit set by law. This, in turn, has hampered access to services related to healthcare and social issues.

1.3. ACCESS TO SOCIAL AND HEALTH SERVICES AND FINANCIAL AID

In general, linguistic, legal, economic, or other factors often form barriers restraining from accessing health services. In terms of access to social and health services, amid the COVID-19 pandemic, foreigners were particularly vulnerable. The access to health services for the migrants who were left without documents due to the delayed work of the Public Service Development Agency and the information vacuum related to its workings, has deteriorated. By way of example, this affected the persons registered as asylum seekers, as well as those whose residence permit required renewal, or persons who were interested in extending their legal stay in Georgia.

³ Interviews conducted by the TDI in 2020

According to a study of spring 2020 conducted in Georgia by the International Organization for Migration (IOM) during COVID-19, “*target groups are severely restricted in accessing health services, there is also a general reluctance on the migrants’ part to use medical services in Georgia, citing problems such as economic accessibility, mistrust and fears related to legal status and corruption.*” According to the survey, 60% of the surveyed migrants did not know that testing and treatment for COVID-19 in Georgia would be free of charge if they had symptoms.⁴

In May 2020, the government developed a state aid program to alleviate the material damage caused during the spread of the pandemic.⁵ The program was intended only for foreign nationals with a permanent residence permit and those holding a temporary residence permit under refugee or humanitarian status. Accordingly, the aid program did not include persons seeking temporary residence, asylum seekers and stateless persons. This data led to a discriminatory situation, as only a certain circle of foreigners had access to the state program.⁶ The said decree remained in force during the so-called second wave regulations. Consequently, the category of beneficiaries of the targeted aid program has not changed.

In addition to the above, the Public Defender of Georgia draws attention to the exclusion of migrants from municipal shelter programs for homeless people. Since many migrants were left without income throughout the pandemic, the state aid programs do not apply to them and they may no longer be able to pay their rent, they will find themselves to be homeless.⁷

1.4. CROSSING THE STATE BORDER

Due to the economic crisis caused by the pandemic, many foreigners living in Georgia have lost their jobs and income. Therefore, the issue of returning to their homeland became critical to them. However, restrictions on international travelling and the closure of state borders have often made it impossible for them to return to their countries of citizenship. At the same time, on the flip side, some foreigners holding a Georgian residence permit wanted to return to Georgia. From 14 March 2020, holders of the resident permit are restricted from entering Georgia.⁸

Decree No.164 of the Government of Georgia of 28 January 2020 “On Approval of the Measures to Prevent the Possible Spread of New Coronavirus in Georgia and the Plan for Operational Response

⁴ Rapid Needs Assessment: COVID-19 related Vulnerability, Risks and Needs of the Migrant Citizens in Georgia, IOM, April 2020. Available at – <https://bit.ly/3vF8zDX>.

⁵ Resolution No. 286 of the Government of Georgia of 4 May 2020 “On the Approval of the Targeted State Program for Mitigation of Damage Caused by New Coronavirus Infection (SARS-COV-2) (COVID-19)”.

⁶ In response to the pandemic situation, the Government of Georgia developed an anti-crisis action plan, which included several stages. The anti-crisis plan included subsidy programs, among others. Migrants were not enlisted as the beneficiaries of the subsidies under the programs.

⁷ Public Defender’s 2020 Parliamentary Report, p. 459. Available at – <https://ombudsman.ge/res/docs/2021040110573948397.pdf>.

⁸ Decree No. 164 of the Government of Georgia of 28 January 2020 “On the Approval of Measures to Prevent the Possible Spread of the Novel Coronavirus in Georgia and the Emergency Response Plan for Cases of Novel Coronavirus Disease”, Article 4.

to Cases of New Coronavirus Disease” was amended on 16 March. According to the amendments the border crossing would be subject to various restrictions. Among other restrictions, the right to enter Georgia via air and land traffics from the neighbouring countries, as an exception, was granted only to Georgian citizens, as well as the family members travelling with them.⁹ From 23 March 2020, international travel by air, land and sea was suspended by the decision of the government. Direct international regular flights were also suspended for the term of the state emergency.¹⁰

Border regulations were vague for foreigners. The lack of information in this regard has further exacerbated the problem. This problem remained unresolved during the reporting period and foreigners with Georgian residence permits who found themselves outside Georgia have to enter Georgia via various legal channels. These include, for example, the government-developed program “Working Remotely from Georgia” or other government-developed programs for those interested in visiting for business purposes (listed programs are reviewed below). This created a sense of injustice caused by the different treatment for those foreigners who had the relevant residence permits and were interested in returning to Georgia.¹¹

1.5. STATE PROGRAMS FOR ENTERING GEORGIA

To compensate for the damage caused by the cessation of tourism in the country, the government has developed a program enabling foreigners to come to Georgia and carry out their own business/work remotely.¹² For this, on 21 August 2020, the relevant amendment was made to the Ordinance No. 322 of the Government of Georgia of 23 May 2020 “On the Approval of Isolation and Quarantine Rules”. The said amendments defined the rules for those interested in using the program. The right to participate in the program was given to the citizens of the countries listed in Ordinance N255 of the Government of Georgia.¹³ Citizens of the said countries have the right to enter Georgia without a visa and stay for a full year.

It should be noted that the program was launched with delays. Foreigners interested in arriving in Georgia had to submit an application to which the state had to respond within 10 days. However, most applicants waited much longer than 10 days after filling out the application, in some cases even several months.

⁹ Decree No. 164 of the Government of Georgia of 28 January 2020 “On the Approval of Measures to Prevent the Possible Spread of the Novel Coronavirus in Georgia and the Emergency Response Plan for Cases of Novel Coronavirus Disease”, Article 4, Paragraphs “f.a.” and “f.b.”

¹⁰ Ordinance No. 181 of 23 March 2020 by the Government of Georgia “On the Approval of Measures to be Implemented in connection with the Prevention of the Spread of the Novel Coronavirus (COVID-19) in Georgia”.

¹¹ Amid the pandemic, Georgia refuses legal residents the entry to Georgia, www.civil.ge, 14.09.2020. Available at – <https://civil.ge/ka/archives/366981>.

¹² “Working from Georgia”, LEPL – Georgian National Tourism Administration, available at – <https://bit.ly/3fG0Lfd>.

¹³ Ordinance No. 255 of 5 June 2015 by the Government of Georgia “On Approval of the List of Countries Whose Citizens May Enter Georgia without a Visa”.

The same Ordinance provides for regulations for those interested in visiting Georgia for business purposes. In particular, on 8 July 2020, the Resolution defined the measures to be taken for those visiting Georgia for business/work related activities.¹⁴ The similar technical problems making it difficult to receive any responses following filling out the application would remain unresolved.

1.6. STAY OF FOREIGNERS ON THE TERRITORY OF GEORGIA UPON EXPIRATION OF THE LEGAL BASIS

Foreigners staying in Georgia also faced uncertainty as to the term of leaving the territory of Georgia. The government has extended the term of legal stay of foreigners in Georgia several times.

Initially, on 16 April 2020, the government ordinance set the deadline until 30 June.¹⁵ An alien or stateless person who stayed legally on the territory of Georgia as of 14 March 2020 and who was unable to leave the country before the expiration of the term of their legal stay in Georgia, became entitled to remain on the territory of Georgia until the above deadline. The deadline was later extended to 31 August, then to 31 December 2020, and finally to 1 July 2021. The government delayed the release of the decision and information on the extension, which caused additional uncertainty for foreign nationals in Georgia. For example, the change in the extension of the term from 1 January to 1 July 2021 was only reflected in the government decree on 16 December 2020.¹⁶

Various agencies, such as the Public Service Development Agency and the Ministry of Internal Affairs of Georgia, provided conflicting information via the hotline. They could not provide a clear-cut or specific answer on whether the foreigners were automatically considered to have extended their legal stay or if they had to apply to the Service Development Agency on a case-by-case basis to request an extension of their stay in the country.

According to the information requested from the Ministry of Internal Affairs,¹⁷ the stay of a foreigner or a stateless person on the territory of Georgia will not be considered illegal and he/she will not be liable under the Georgian legislation if he/she submits the relevant supporting documents (evidence). We might conclude that the term for the legal stay did not automatically extend for the migrants. In each case, the person was required to provide specific evidence that, as of 14 March 2020, he/she

¹⁴ To get a consent to a business visit to Georgia, a foreigner must fill out an application, Netgazeti, 19 July 2020. Available at – <https://batumelebi.netgazeti.ge/news/290175/>.

¹⁵ Decree No. 164 of the Government of Georgia of 28 January 2020 “On the Approval of Measures to Prevent the Possible Spread of the Novel Coronavirus in Georgia and the Emergency Response Plan for Cases of Novel Coronavirus Disease”, Article 5, paragraph 1.

¹⁶ Decree No. 2460 of the Government of Georgia of 16 December 2020 on amendments to Ordinance №164 of the Government of Georgia of January 28, 2020, “On the Approval of Measures to Prevent the Possible Spread of the Novel Coronavirus in Georgia and the Emergency Response Plan for Cases of Novel Coronavirus Disease”.

¹⁷ Letter of the Ministry of Internal Affairs of Georgia N MIA 5 21 00710171, 23 March 2021.

was in Georgia legally and that he/she was unable to leave Georgia for reasons¹⁸ determined by a government decree.¹⁹

It should be noted that the foreign nationals might be requested at the border checkpoint to present the above-mentioned documents when leaving the country. This might become necessary for them to avoid administrative-legal liability for violation of the rules of stay in Georgia. It is possible for a foreigner to proactively apply to the Service Development Agency to extend his/her legal stay in Georgia and submit the relevant documentary evidence confirming the occurrence of any of the circumstances defined by the government decree.

1.7. STATUS OF INTERNATIONAL STUDENTS LIVING IN GEORGIA

International students faced a number of problems both in the learning process and in returning to Georgia from their citizenship countries. Students who had to leave the country due to economic or other circumstances during the pandemic were unable to return. The university decisions to move the study process from remote learning back into the university environment were also problematic. At a certain stage, the universities shifted to online teaching but later returned to a more traditional, in-person learning process. The change in the situation has directly affected international students, who find it difficult to return to Georgia on time due to the pandemic, travel restrictions and economic situation.

On 9 September 2020 Ordinance No. 322 of the Government of Georgia of 23 May 2020 “On the Approval of Isolation and Quarantine Rules” was amended and the procedures applicable to foreign students entering Georgia were defined. In order to enter Georgia, foreigners had to register electronically on the website of the Government of Georgia – www.StopCov.ge by filling out an application in a special program.²⁰

Notable is another challenge faced by Indian students and individuals coming from India in general. Ordinance No. 322 of the Government of Georgia on the Approval of the Isolation and Quarantine Rules enacted new restrictions as of 15 April 2021,²¹ which imposed different conditions on persons coming to Georgia from India and Indian students. In particular, (a) foreign students travelling from the Republic of India, regardless of the citizenship and full course of vaccination, are required to submit negative PCR test results received within 72 hours prior to entering Georgia and will undergo a 14-

¹⁸ According to Article 5 of Ordinance №164 of the Government of Georgia of 28 January 2020, the following circumstances are: a) if the state of citizenship of a person was included in the high risk zone for the relevant period; b) if a restriction at the border is imposed by the relevant state; c) if a person is in a hospital, quarantine or self-isolation due to a health condition; d) if a person fails to leave the country within the established period due to cancelled flights.

¹⁹ Decree No. 164 of the Government of Georgia of 28 January 2020 “On the Approval of Measures to Prevent the Possible Spread of the Novel Coronavirus in Georgia and the Emergency Response Plan for Cases of Novel Coronavirus Disease”.

²⁰ Ordinance N322 of the Government of Georgia, Article 11 (5).

²¹ Ordinance No. 170 of 14 April 2021 of the Government of Georgia.

day mandatory quarantine; (b) the amendments stipulate that students travelling from the Republic of India would only be able to enter Georgia via charter flights; (c) in addition, any person travelling from the Republic of India, regardless of citizenship and full course of vaccination, will have to submit at the border a negative PCR test results received within 72 hours prior to their entry to Georgia and undergo a mandatory 14-day quarantine at their own expense.

The new reality turned out to be unexpected for the students who travelled to Georgia from India. They were not provided timely and proper access to information. On 14 April, prior to departure, students were unaware of the new regulations. On the same day, upon arrival in Georgia, 180 students from India were subjected to a 14-day mandatory quarantine in one of the hotels in Tbilisi. They had to pay GEL 150 per day as an additional expense.²²

The TDI considers that the selective measures established by the government against persons/students from India are too harsh, disproportionate and discriminatory.

The restrictions have had a direct impact on students who are unable to return to Georgia due to new regulations imposed on Indians and due to the difficult epidemiological situation in India. As the students told the TDI, they also had problems with Batumi Shota Rustaveli University. In particular, in the spring of 2021, following the enactment of new regulations for travelling from India, the University required them to appear in person and complete academic registration for the semester. The University would not allow the students that were unable to leave India within the prescribed time limit and physically appear before the University to register online. The Decree of the Academic Council of Batumi State University of 20 April 2021²³ determined that only BSU students that were physically in Georgia should be allowed to partake in the distance learning process. By the same decree, the students who failed to appear in the office of the Faculty Dean on 13-14 May 2021 to sign the academic registration certificate, would face administrative proceedings on suspension of student status. These administrative proceedings were indeed launched against the students.

This decision by the University is discriminatory and lacks any reasonable and objective justification. On 3 June 2021, the TDI filed an application with the Batumi University, the Ministry of Education and Science, and the Interagency Coordination Council established by the Government, requesting the immediate cessation of administrative proceedings and the protection of students' rights.²⁴ On 4 June the Minister of Education and Science issued an order stating that those students who could not enter Georgia due to the epidemiological situation in India would not have their status suspended and would complete their studies remotely.²⁵

²² Selective Quarantine, EVRNEWS.GEORGIA, 15 April 2020. Available at <https://bit.ly/3p9Prvr>.

²³ Resolution N06-01 / 36 of the Academic Council of 20 April 2021 on amending the Resolution N06-01/59 of the BSU Academic Council of 9 September 2020.

²⁴ Statement of the TDI on the Discriminatory Decision of Batumi University, 3 June 2021 <http://tdi.ge/ge/statement/gancxadeba-batumis-universitetis-diskriminaciul-gadacqvetelebase-indoeli-studentebis>.

²⁵ Order of the Minister of Education and Science of Georgia, 4 June 2021 https://www.mes.gov.ge/content.php?id=12185&lang=geo&fbclid=IwAR2q2WIVc_XtrUalAMp4x-P1CFvnnLShhSTOPFVKkVY-xG3LU5c757nQY

1.8. XENOPHOBIA AND DISCRIMINATION

The use of hate speech, discrimination and xenophobia has increased worldwide during the COVID-19 pandemic. Often, it is the migrants who are accused of spreading the virus, they become victims of verbal and physical violence, social exclusion, discrimination. Because of the existing stigma and xenophobia, members of the vulnerable groups may be reluctant to turn to medical facilities and access health services in general. This will increase the risk of spreading the virus and endanger the health and lives of these particular people.

In order to study the legal status of migrants in Georgia during the pandemic, the TDI conducted interviews with foreign nationals, during which the following problems were identified:²⁶

- ▶ Foreign nationals speak of the increased number of cases of verbal abuse in public spaces, especially in public transport, and of the instances when they became victims of aggression on national grounds.
- ▶ Part of the respondents say they or their acquaintances have become victims of xenophobic and discriminatory attitudes in commercial establishments (pharmacy, shop, etc.).
- ▶ Respondents talk about societal xenophobia and aggression towards citizens of Asian countries as within the certain groups of society they are being associated with China and the Coronavirus.
- ▶ Foreigners, especially those from Asian and African countries, often face discriminatory treatment when renting an apartment as the landlords refuse to rent the apartment on xenophobic grounds. Respondents noted that such incidents were even more frequent during the pandemic, which not only poses the problem of homelessness to foreign citizens, but also prevents them from obtaining a residence permit (a registration address is required to obtain a residence permit).

²⁶ The TDI spoke to 10 foreign nationals and heads of two community organizations in Georgia in June 2020.

2. STATE POLICY TOWARDS FOREIGN NATIONALS

The 1965 UN Convention on the Elimination of All Forms of Racial Discrimination²⁷ defines racial discrimination as follows: *“any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life”*. Georgia became a signatory to this Convention in 1999. Provisions against racial discrimination in national legislation are reflected in various laws.²⁸ Nevertheless, discrimination based on race, nationality or origin remains a significant challenge while the state still lacks a specific strategy and policy in this direction.

Analysis of the current legal situation, statistics or practices shows that, as in previous years, the state discriminatory policy towards aliens/migrants is maintained. For example, citizens of certain countries still face unjustified obstacles in obtaining a residence permit in Georgia. The relevant agency frequently refuses granting of a resident permit to migrants on the ground of state security. By doing so they show the alleged signs of discrimination. Such an approach mainly suggests the existence of a selective policy towards the citizens of the specific countries in the Asian and African regions.

2.1. ISSUES, LEGISLATION, AND PRACTICE OF OBTAINING A RESIDENCE PERMIT IN GEORGIA

During the reporting period, the practice of unjustified refusal to grant a residence permit was maintained. According to the report of the State Security Service, for years rejection of residence permit application on the grounds of state security has been used by the state as a lever to artificially restrain the flow of migrants from “undesirable” countries. Such countries are mainly the states of the

²⁷ Georgia ratified the Convention on 2 June 1999.

²⁸ In civil, administrative and criminal fields.

African and Asian regions. In addition to statistical data, this assumption is further supported by the amendments of 2019 and 2021 to the Law of Georgia on Aliens and Stateless Persons.²⁹ In 2019, it was explicitly stated in the explanatory note of the law that the need to tighten the law was to reduce the inflow of migrants from “poor” countries. According to the explanatory note, the earlier, more lenient regulations facilitated not so much the attraction of investment and the economic progress of the country, but mainly the “mass migration of foreign nationals living in material poverty”.³⁰

Even today, the refusal to grant a residence permit, in many cases, is once again substantiated by the State Security Service report concluding that it is not expedient for aliens to live in Georgia due to the state and public interests. The State Security Service continues to partake in creating an artificial impediment to the flow of people travelling to Georgia from the specific “undesirable” countries. The involvement can be characterized as arbitrary and unjustified.

It is also significant that the Public Service Development Agency, even though it has the freedom to make decisions within its discretion, frankly rejects the applicant in case of a negative report from the State Security Agency.

The letter received from the Service Development Agency confirmed that **in 2020 no residence permit was granted following the negative report/recommendation from the relevant authorities.**³¹ Accordingly, the Agency refuses a residence permit in all instances where a state security issue is triggered in a specific case. As a result, what we are left with are the formalistic and superficial decisions lacking the necessary justification. Presenting SSS as an unconditionally superior state institution is a very dangerous approach as it promotes arbitrariness in decision-making processes and further reinforces the existence of possible discrimination in each case.

Amendments of 2019 to the Law of Georgia on the Legal Status of Aliens and Stateless Persons³² tightened the conditions of obtaining a residence permit. One of the regulations also referred to the work residence permit. An additional requirement for obtaining a work residence permit is that the annual turnover of the employer’s enterprise must be at least GEL 50,000 per alien. According to the government decree, the turnover should be proved by a document issued by the Revenue Service.³³ The requirement for a turnover of GEL 50,000 was applied equally to aliens employed in both commercial and non-commercial organizations. This resulted in the discriminatory outcome as non-commercial organizations, such as charities, religious or non-government organizations, do not record their

²⁹ Initiators: Members of Parliament: Gocha Enukidze, Ivliane Tsulaia, Initiated version of the law N 07-3/185/9.

³⁰ Explanatory Note on Amendments to the Law of Georgia on Aliens and Stateless Persons is available at <https://info.parliament.ge/file/1/BillReviewContent/186448>.

³¹ Letter N01/34288, 24 February 2021.

³² The Law of Georgia on Amendments to the law on Legal Status of Aliens and Stateless Persons is available at <https://matsne.gov.ge/ka/document/view/4571589?publication=0>.

³³ Resolution of the Government of Georgia of 1 September 2014 N 520 “On Approval of the Procedures for Reviewing and Deciding the Granting of Georgian Residence Permits”.

turnover at the Revenue Service and were therefore lacking the opportunity to obtain a residence permit. This created a basis for a discriminatory refusal to grant a work residence permit.

On 6 August 2020 the Resolution N520 of the Government of Georgia was amended.³⁴ Per the amendments, if it is objectively impossible for the Revenue Service to issue a certificate, an alien becomes allowed to instead submit any other certificate or evidence before the Agency. In practice the bank statements became acceptable for these purposes. Thus, it became possible to confirm the existence of enterprise turnover via submitting the bank statements.

The fact that the commercial and non-commercial organizations are subject to the same demand in terms of turnover in the amount of GEL 50,000 remains to be a problem. By way of example, the law establishes a somewhat different approach towards the medical and educational institutions and imposes lesser requirements on them. It is therefore unclear why a non-commercial organization, which in many cases can also be a charity, falls into the same category as a commercial organization.

In 2021 another set of amendments were made to the Law of Georgia on the Legal Status of Aliens and Stateless Persons, as a result of which the regulations were further tightened. In particular, on 30 March 2021, the Parliament of Georgia approved amendments to the Law of Georgia on the Legal Status of Aliens and Stateless Persons, which was enacted on 12 May 2021. With the changes, the procedures for applying for a residence permit was further complicated. Under the new regulations, the state has created leverage to deport foreign nationals coming from various countries. Notably, those from African and Asian countries, who already are facing a number of obstacles in the process of obtaining legal status, are the ones to face the aforesaid risk the most.

According to the new amendments:

- ▶ The definition of a family member was narrowed. Adult children are no longer considered the family members of an alien for the purposes of a residence permit. In that respect, only a minor will be considered a family member;
- ▶ The pool of those qualified for obtaining the D5 Category Visa³⁵ was narrowed. Only an alien's *child* and *spouse* will receive this visa. The pool of beneficiaries no longer includes parents of an alien;
- ▶ Only the *spouse* and *children* of a foreign citizen can obtain a short-term residence permit (residence permit based on the ownership of real estate in Georgia). Parents of an alien can no longer obtain it.
- ▶ A residence permit is no longer issued to persons entering Georgia on the basis of the C Category Visa;³⁶

³⁴ Resolution N481 of the Government of Georgia of 6 August 2020 on the Amendment to the Resolution N540 of the Government of Georgia of 1 September 2014 "On Approval of the Procedures for Reviewing and Deciding the Granting of Georgian Residence Permits".

³⁵ This is one of the types of immigration category visas. This type of visa is granted to an alien and his/her family members who own real estate worth GEL 100,000.

³⁶ This is an ordinary category granted for tourism, visiting relatives and friends, business meetings and negotiations, participation in a conference, as well as humanitarian aid.

- ▶ An asylum seeker can no longer apply for a residence permit with the Public Service Development Agency;
- ▶ Foreigners staying in Georgia based on extension of their obligation to leave Georgia, can no longer apply for a residence permit;
- ▶ Foreigners coming from specific countries who based on the Resolution N256 of the Government of Georgia can enter Georgia without a visa will no longer be able to obtain a residence permit. Persons in this category will no longer be able to directly apply for a residence permit;
- ▶ The foreign national can obtain a permanent residence permit in case of living in Georgia for 10 years on the basis of a temporary residence permit, instead of the previous 6 years;
- ▶ Due to ongoing court proceedings, an alien may be granted an extension for exiting Georgia only if an alien applies to the Agency at least 14 calendar days before the expiration of the legal stay in Georgia. Consequently, if an alien has the term of his/her legal stay expired or does not have grounds for staying in Georgia legally, he/she may not extend the term of his/her stay in Georgia legally due to the pending administrative court proceedings commenced for establishing the status of a stateless person. A similar rule did not previously exist in the law;
- ▶ Per newly granted authorisations of the Public Services Development Agency, it is now entitled to verify within a year the lack of grounds for granting a residence permit and double check the information mentioned in the documents submitted by an alien by means of conducting an on-site visitation, checking the place, and interviewing the relevant persons.³⁷

Case of Pastor Folabi Solomons

One of the most obvious examples of the alleged discriminatory motive for refusing a residence permit is the case of Pastor Folabi Solomons, a Nigerian citizen, whose case is linked not only to discrimination on the ground of race or nationality, but also to a violation of right to freedom of religion and a fair trial.

Folabi Solomons, a citizen of Nigeria, has been a clergyman in Georgia since 2013. He is a pastor of the “Redeemed Christian Church of God”. The application for a work residence permit was linked to his activities as a clergyman. However, LEPL Public Service Development Agency refused him a work residence permit on the grounds of state security.

According to the decision of 23 April 2018, the Tbilisi City Court Chamber of Administrative Cases did not grant relief for the lawsuit. The decision of the Court of First Instance was appealed on 7 June 2018. By the decision of 29 November 2018, the Court of Appeals also dismissed the appeal and upheld the decision of the Tbilisi City Court to refuse the granting of the work residence permit. On 4 March 2019, the decision of the Tbilisi Court of Appeals was appealed in the Supreme Court of Georgia. However, by its decision of 15 July 2020, the Supreme Court of Georgia rendered the appeal inadmissible.

³⁷ What is changing in the Law of Georgia on the Legal Status of Aliens and Stateless Persons, the TDI, available at <https://bit.ly/2R9kZVG>.

Consequently, effective local remedies for the protection of rights were exhausted. On 15 January 2021 the claimant applied to the European Court of Human Rights.³⁸

The presumption of discriminatory treatment in the presented case is reinforced by the fact that Folabi Solomons was able to obtain a study residence permit five times in a row in 2012–2017. On the flip side, when trying to obtain a work residence permit to be able to work and hold a religious position, he was identified as “a threat” to the public and state interests. Most likely, the refusal of a work residence permit is related to both his nationality and religious activities.

In general, the concepts of “race” and “ethnicity” are closely related to religion. This is indicated by the approach of the European Court of Human Rights. The European Court has defined the concepts of “race” and “ethnicity” and found that language, religion, nationality and culture are integral parts of “race”.³⁹ The European Commission against Racism and Intolerance (ECRI) has also broadly defined “racial discrimination”, which includes the following grounds: “race, skin colour, language, religion, nationality or national or ethnic origin”.⁴⁰

2.2. STATE POLICY TOWARDS ASYLUM SEEKERS IN GEORGIA

Much like obtaining residence permits, the issue of granting refugee or humanitarian status to asylum seekers also remains problematic. According to the existing practice, the issue of granting the status is also mainly resolved based on the report/recommendation of the State Security Service of Georgia.

In addition, the legislative shortcomings related to the withdrawal of an application for international protection by an asylum seeker remains present. As a rule, the withdrawal of an application, lawsuit or complaint in administrative and civil proceedings does not deprive the interested person of the right to re-apply to the same institution with the same request. However, this is not the case with the withdrawal of an application for international protection, during which, under the current regulation,⁴¹ an asylum seeker loses the right to re-apply to the Migration Department of Ministry of Internal Affairs with an application for international protection. In case of withdrawal, the asylum seeker is entitled to re-apply only if he/she indicates any new circumstance in the case.

The case of the Egyptian citizen

Regarding the problematic character of granting refugee status, in terms of refusal for state security reasons, the case of an Egyptian citizen represented by the TDI, who is being persecuted in his own

³⁸ The interests of Pastor Folabi Solomons in local and international courts are represented by the TDI.

³⁹ The decision of the European Court of Human Rights: *Timishev v. Russia*, 13 December 2005, §55.

⁴⁰ Guidelines on European non-discrimination law, the Council of Europe, 2013, ISBN 987-99-410-6037, p. 110, available at <https://rm.coe.int/16800922ad>.

⁴¹ Paragraph 5 of Article 41 of the Law of Georgia “On International Protection”.

country on religious grounds and sexual orientation, is of particular interest. On 3 June 2021, the Tbilisi City Court heard the merits of the case and granted relief sought in the Egyptian citizen's claim – that is granting refugee status in Georgia.

The claimant is a citizen of the Arab Republic of Egypt, who is persecuted in the country of his origin for his religious beliefs and sexual orientation. If he returns to his homeland, he faces a real threat of inhuman treatment, torture, as well as damage to health and threat to life. He was prosecuted in his country of origin, which resulted in a guilty verdict against him. An Egyptian court sentenced him to imprisonment and a fine.

In 2017 the claimant applied for asylum in Georgia. The Ministry of Internally Displaced Persons, Accommodation and Refugees in Georgia, which was reviewing the asylum application at the time, found that the threat to the applicant's life and health was real in case of his return to the Arab Republic of Egypt. The Ministry confirmed that there were all the necessary preconditions for granting the refugee status, although the application was still not satisfied due to the negative report by the State Security Service.

In 2017, the claimant filed a lawsuit with the Tbilisi City Court, requesting that the Ministry's decision be annulled and that a new decision be issued. The court upheld the lawsuit partially. It then returned the case to the Ministry for reconsideration in order to issue a new administrative decree. In 2018, the Tbilisi Court of Appeals refused the legal successor of the Ministry of Internally Displaced Persons, Accommodation and Refugees of Georgia, – the Migration Department of the Ministry of Internal Affairs to grant the appeal and upheld the decision of the Court of First Instance.

According to the decision made in 2020, the Department of Migration once again refused to grant the applicant refugee status, by taking into consideration the report of the State Security Service. The refusal of the Department of Migration was again appealed in the Tbilisi City Court. According to the claimant, the negative recommendation of the State Security Service was unfounded, and the decision of the Migration Department lacked merits.

On 3 June 2021, the Tbilisi City Court considered the case on its merits. The Tbilisi City Court Chamber of Administrative Cases considered the applicant's claims and arguments therein. The court ruled in his favour and fully upheld the claims. The court annulled the Migration Department's refusal and ordered it to issue a new act granting the applicant refugee status in Georgia.

3. PROBLEMS OF THE STATE SECURITY SERVICE'S COMPETENCE TO INVESTIGATE CRIMES OF RACIAL DISCRIMINATION

Racial discrimination, as a criminal offence is under the investigative jurisdiction of the State Security Service. In 2003, Article 142¹ of the Criminal Code of Georgia (racial discrimination) was added.⁴² Article 142 (violation of human equality) has been in force since the adoption of the Code.⁴³ Initially, the investigation of the crimes committed under these articles was a competence of the Ministry of Internal Affairs of Georgia and the Prosecutor's Office, however, from 1 August 2015, it was defined as the investigative competence of the State Security Service.⁴⁴

The State Security Service of Georgia was established in 2015 by the Law of Georgia on State Security. The statute of the Service was approved on 31 July 2015, and by order⁴⁵ of the Minister of Justice of 30 July 2015, the investigative competence of the Service was determined with regard to criminal offences.

During the establishment of the State Security Service, specific areas of its activity were defined, such as protection of Georgia's constitutional system, sovereignty, territorial integrity, and military potential from the special services of foreign countries and illegal actions of individuals, ensuring the country's economic security, fight against terrorism and others.⁴⁶

Accordingly, by the order of the Minister of Justice of 2015, the State Security Service was tasked with investigating crimes such as terrorism, violation of the legal regime in the occupied territories, crimes against the constitutional order and security of Georgia and others. But among them, the most

⁴² Law of Georgia of June 6, 2003 N2355 – SSM I, N18, 24.06.2003.

⁴³ Adopted on 13 August 1999. The Parliament of Georgia, SSM, 41 (48), document number: 2287.

⁴⁴ Order N88 of the Minister of Justice of Georgia of 30 July 2015 “On Determining Investigative and Territorial Investigative Jurisdiction of Criminal Cases”; on “Amendments to the Order N34 of the Minister of Justice of Georgia of 7 July 2013”.

⁴⁵ In particular, the 2013 Order N34 of the Ministry of Justice of Georgia “On Determining Investigative and Territorial Investigative Jurisdiction of Criminal Cases” was amended by the Order N88 of the Minister of Justice of 30 July 2015. With this change, the investigative subordination of the State Security Service, among other crimes, was also assigned to the crime of violation of human equality (article 142 of the Criminal Code) as well as the crime of racial discrimination (Article 142(1) of the Criminal Code).

⁴⁶ Also identifying the unconstitutional, violent change of the constitutional system of Georgia and state government and its protection; fighting transnational organized crime and international crime threatening state security; taking measures to prevent, detect and suppress corruption; protecting state secrets, implementing measures to ensure protection of state secrets in accordance with the rules established by the legislation of Georgia and controlling their implementation; protecting the country from the external threats.

noteworthy are the crimes against equality and racial discrimination, which do not derive from the main activities of the State Security Service.

Violations of equality of humans and crimes committed with discriminatory motives fall into the category of cases that require an extraordinary and sensitive approach, hence the need to produce a separate, special statistics on these types of crimes. The fight against discrimination also contributes to the human rights situation in the country in terms of equality. Discriminatory, intolerance-motivated crimes, due to their specificity, should be supervised not by the Security Services, but a special unit.

For example, in 2018, a special department was established under the Ministry of Internal Affairs (Department of Human Rights Protection and Investigation Quality Monitoring). Although it does not have an investigative function, it actively oversees investigations into similar types of crimes. If discriminatory crimes are investigated under the State Security Service, the mentioned department of the Ministry of Internal Affairs will be deprived of the prospect of the monitoring.

In addition, the State Security Service and its activities are, by definition, the most closed, opaque and secretive. Consequently, bringing issues related to the equality under the competence of the State Security Service threatens addressing the issue from a human rights perspective and may also aim to consider and control certain minority groups and regions under the prism of security.⁴⁷

It is noteworthy that on 30 May 2020, the State Security Service launched an investigation on racial discrimination. The issue was related to racial discrimination and allegedly Incitement to ethnic or racial hatred between ethnic Georgians and Azerbaijanis.⁴⁸ However, the purpose of the investigation was not clear to the public. The agency actively summoned Muslim clergyman Sheikh Mirtag Asadov and ethnic Azerbaijani activists from Kvemo Kartli for questioning.⁴⁹ Because the purpose of the investigation was vague, it was reasonable to assume that the state was pressuring ethnic and religious minorities.

The TDI considers it inadmissible to bring equality issues under the competence of the State Security Service. Neither of these competences derives from the goals and objectives of this Service. Granting such investigative powers to the SSS is indicative of the state's inconsistent equality and human rights policies.

⁴⁷ Security Service Reform in Georgia: Results and Challenges, Research Leaders – Lika Sajaia, Sopo Verdzeuli. Tbilisi 2018, P.28, available at <https://bit.ly/3vHtmHd>.

⁴⁸ Case of Racial Discrimination and Incitement of Ethnic strife – What did the State Security Service investigate and How. Tabula, 16 June 2020. Available at <https://bit.ly/3wLh1BQ>.

⁴⁹ 2020: Freedom of Religion, Xenophobia, Migrant Rights, the TDI, Available at <http://tdi.ge/en/news/888-2020-freedom-religion-xenophobia-rights-migrants>

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The level of state sensitivity towards the rights of foreigners in Georgia is low. This is evidenced by the strict and, in many cases, discriminatory policies pursued by the state. The shortcomings identified in the pandemic made the existing systemic problems more pronounced. The pandemic crisis has affected the most vulnerable groups, including migrants. During the crisis, the state failed to ensure proper communication, access to information and proper delivery of services to foreign nationals. During the pandemic the migrants, persons with temporary residence permits, asylum seekers and stateless persons did not receive social aid provided by the state.

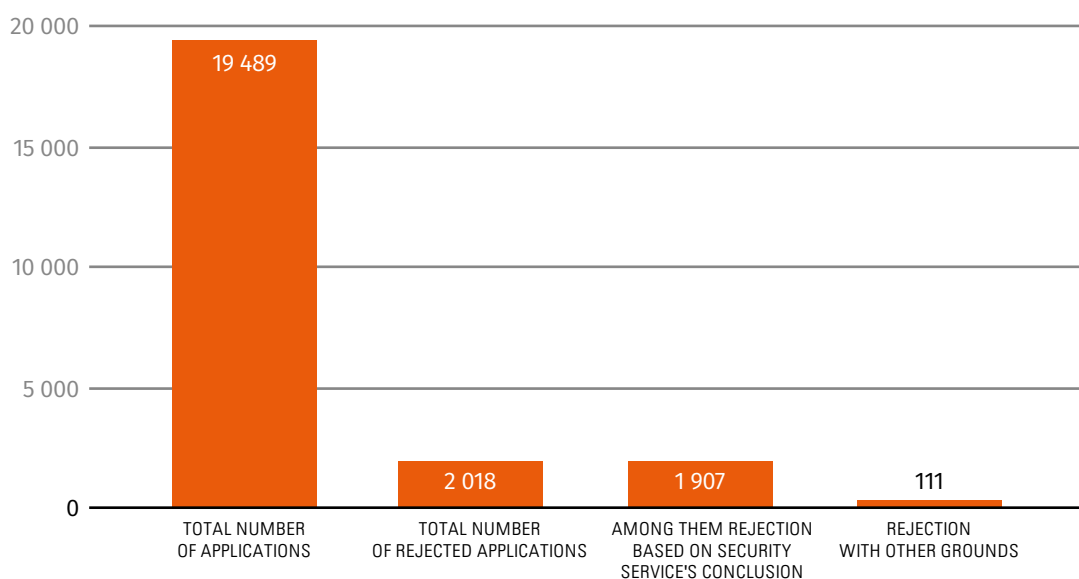
As the statistical data presented in the Report and the analysis of the case confirm, the practice of unjustified refusal to grant a residence permit was maintained during the reporting period. In most cases, the state security argument is applied to the citizens of specific countries in an unjustifiable and artificial manner.

Xenophobic attitudes of society are problematic, especially towards the migrants from African and Asian countries. The government still does not have a specific strategy, policy, or vision to overcome racial discrimination.

1. STATISTICS ON THE REFUSAL OF A STATE RESIDENCE PERMIT

The TDI has requested public information on Residence Permit Statistics for 2020 from the Public Service Development Agency. According to the information received from the Agency, the rate of application and refusal of the residence permit was distributed as follows:⁵⁰

Diagram 1: Overall indicator of applying for a residence permit in Georgia, basis for refusal to grant a permit and a negative response



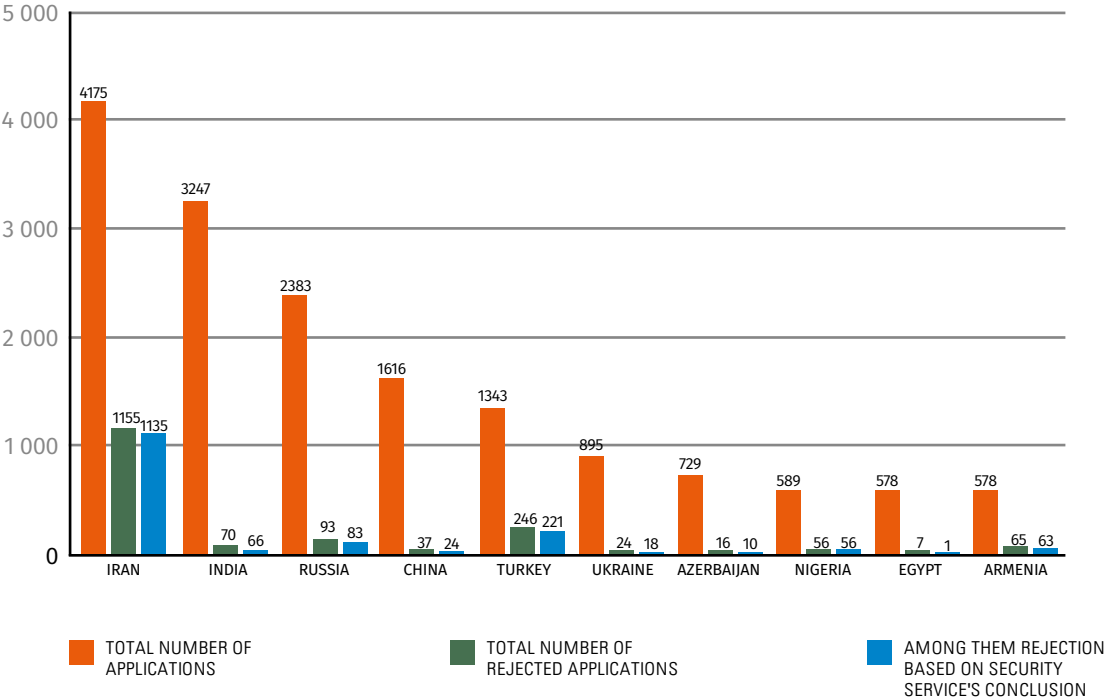
Of 2,018 negative decisions, 1,907 (94%) were based on the report of the State Security Service.

The TDI requested information from the Public Service Development Agency as to in how many cases the Agency approved the application, despite the negative report/recommendation from the State Security Service of Georgia. As confirmed by the Agency, from 1 January 2020 to 1 January 2021, after

⁵⁰ Letter N 01/34288 of the Public Service Development Agency, 24 February 2021.

receiving the negative report/recommendation from the relevant authorities, no residence permit was granted. Accordingly, in the event of a negative report from the State Security Service, the Agency shall unconditionally refuse the granting of the permit. Notably the Agency is endowed with discretionary powers. This means opting for the most acceptable decision in light of the public and private interest when considering each particular application. However, the report of the Security Service is not binding, and it is of a recommendatory nature. There is a noticeable tendency for the administrative bodies being politicized by the security narrative and lacking independent and solid positions.

Diagram 2: Quantitative rates of rejection by countries in 2020: applications, refusals and refusals based on the SSS report (top ten):



As the statistics show, the vast majority of the refusal of residence permits for representatives of specific countries is based on a negative report by the State Security Service.

2. STATISTICS ON CRIMES COMMITTED WITH RACIAL INTOLERANCE

The Tolerance and Diversity Institute requested public information from relevant agencies to assess the state’s response to crimes committed on the grounds of racial intolerance. The response reflects information on crimes committed on the grounds of racial discrimination or racial intolerance in 2020: how many crimes were investigated, how many persons were prosecuted or how many prosecutions were terminated against a person, in how many cases did the prosecutor’s office issue a decision granting victim status. Also, how many cases of crimes committed on the grounds of racial discrimination or racial intolerance have been heard by the common courts.

Common Courts

According to the information received from the Supreme Court of Georgia, from 1 January 2020 to 31 December 2020, the judges of the common courts considered 3 cases with separate motives of racial intolerance.⁵¹

- ▶ No new cases invoking **Article 142 (1) of the Criminal Code of Georgia** (motive for intolerance on the grounds of race), have been filed with the common courts of Georgia; The Supreme Court of Georgia considered only 2 cassation appeals of criminal cases. The appeals in both cases were declared inadmissible;
- ▶ No cases revoking **Article 142** (violation of equality on the grounds of race, citizenship, origin), have been filed with and considered by the common courts of Georgia.
- ▶ **Article 53 (1) of the Criminal Code**, that introduces an aggravating circumstance of criminal liability, where the motive of intolerance on nationality grounds (in case of domestic violence) was used by the District (City) Court of Georgia in one case.

General Prosecutor's Office

According to the information received from the General Prosecutor's Office of Georgia, during the period from 1 January to 31 December 2020, criminal offences concerning intolerance on racial and national grounds were prosecuted in a total of 4 cases against 7 persons. Out of these seven:⁵²

- ▶ 5 persons were subjected to criminal prosecution concerning intolerance on racial grounds; and
- ▶ 2 persons were subjected to criminal prosecution concerning intolerance on national grounds.

In the period from 1 January to 31 December 2020, 5 persons were recognized to be victims of different motives of intolerance:

- ▶ 3 persons were recognized as victims of intolerance on the grounds of race;
- ▶ 2 persons were recognized as victims of intolerance on the grounds of intolerance on national grounds.

Ministry of Internal Affairs

According to the information provided by the Ministry of Internal Affairs, in 2020 the Ministry launched criminal proceedings in a total of 3 cases on separate grounds of racial intolerance.^{53, 54}

⁵¹ Letter N P-23-21 of the Supreme Court of Georgia, 17 February 2021.

⁵² Letter N 13/5226 of the Prosecutor's Office of Georgia, 2 February 2021.

⁵³ The letter states that criminal statistics statically reviews the rates of the launching of investigation, only within the initial qualifications, without dynamically considering further changes.

⁵⁴ Letter from the Ministry of Internal Affairs of Georgia NMIA 8 21 00331085, 11 February 2021.

- ▶ 1 case is registered on the facts of committing a crime under Article 142 (1) of the Criminal Code of Georgia (racial discrimination);
- ▶ Zero cases are registered on the facts of committing a crime under Article 142 of the Criminal Code of Georgia (violation of human equality);
- ▶ 2 cases are registered on the facts of committing a crime under Article 144³, section II, paragraph “f” of the Criminal Code of Georgia – “degrading or inhuman treatment” (by violating the equality of persons based on their race, skin colour, language, sex, religious attitudes, religious beliefs, political or other views, national, ethnic, social belonging, origin, due to the place of residence, property or rank status).

According to the Human Rights Protection and Investigation Quality Monitoring Department of the Ministry of Internal Affairs,⁵⁵ in 2020, the Department in total monitored more than 50 criminal cases involving the aggravating circumstances provided for in Article 53 (1) of the Criminal Code of Georgia. These cases showcased a possible motive of intolerance on the grounds of skin colour/citizenship as well as national/ethnic/racial belongings.

State Security Service

According to the information provided by the State Security Service of Georgia,⁵⁶ from 1 January 2020 to 31 December 2020, the State Security Service of Georgia did not launch an investigation under Article 142 of the Criminal Code of Georgia (a race, citizenship, origin-based violation of equality).

One case has been commenced under Article 142 of the Criminal Code of Georgia (racial discrimination). While the case is still ongoing, so far, no victim has been identified. In the same case, no decision on imprisonment of an accused has been rendered.

⁵⁵ Letter from the Ministry of Internal Affairs of Georgia NMIA 1 21 00230332, 1 February 2021.

⁵⁶ Letter of the State Security Service of Georgia N SSG 2 21 00018157, 5 February 2021.

