

RACIAL PROFILING IN GEORGIA

EXISTING POLICIES AND PRACTICES OF
THE POLICE SYSTEM TOWARDS ETHNIC
MINORITIES AND MIGRANTS

RESEARCH REPORT

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*Promoting Rule of Law
in Georgia (PROLoG)*

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INTRODUCTION

The problem of racial profiling is current in the daily activities of police institutions in different countries. The police often use human visual characteristics and other personal data when conducting routine procedures. At such times, there is a risk of these characteristics making one group of the public more targeted to the police. That is, the police officers may pay more attention to individuals with certain characteristics and more likely consider them to be high-risk individuals.

Racial profiling may result from deliberate racist behaviour by individual police officers or an unintended consequence of existing racial stereotypes. In the first case, a police officer's professionalism and moral readiness to perform their duties are important. In the second case, a policeman/policewoman can be influenced by public perceptions, media reports, and general attitudes. Racial profiling can also be derived from institutional origins. Part of the primary police instruction may be to use specific tactics that are the basis for profiling or to focus on particular neighbourhoods that place different ethnic/religious groups in unequal conditions.

Racial profiling implies discriminatory and stereotypical actions of law enforcement officers when they suspect a person due to their cultural, ethnic, national, religious affiliation or skin colour. In such a case, a police officer may stop a specific person for no reason, search him/her, see likeness with the culprit. Racial profiling can also lead to indifference towards a victim and result in severe consequences.

Investigative activities based on appearances are equated with unlawful discrimination in the US and European legal systems. Recognizing the practice of racial profiling is easy when officials directly order their employees to single out certain ethnic groups. For example, this happens during airport checks, or immigration stops when the purpose is to deport a visitor. In such cases, profiling may be happening under direct orders. However, when there is no direct order, it becomes challenging to elucidate the racial intent.

Racial profiling is mainly the result of indirect discrimination. As a rule, a clearly neutral provision, criterion, or even practice puts individuals belonging to a particular ethnic origin or those labelled under a different racial classification in unfavourable conditions compared to others. Thus, in any case, where racial profiling is evidenced in the conduct of a police officer, regardless of their intent, the act itself is considered to be unlawful discrimination if the act is not substantiated. In addition to being unjust, racial profiling, is also ineffective and counterproductive. When law enforcement agencies treat a whole group of people as suspicious, they target lots of innocent people, and eventually, a real criminal who does not look like a person they imagined may stay out of their focus.

Another negative consequence of racial profiling is a decreased trust in the police. People who fall victim to racial profiling lose faith in law enforcement, which ultimately negatively affects police-public relations, reducing their willingness to cooperate with law enforcement bodies.

There are no relevant guidelines and policies against racial discrimination and profiling in Georgian police agencies. The professional training programs for the Ministry of Internal Affairs employees include no issues of cultural diversity. The police officers generally study human rights and discrimination. These courses, however, do not provide enough information to generate a comprehensive picture of racism and racial profiling.

The TDI has been actively working for several years to protect the rights of migrants and eliminate racial discrimination. During this time, many systemic problems have surfaced that lead to the violation of migrants' rights and create a discriminatory environment, especially towards representatives of Asian and African countries. Most actual among these problems is the State Security Service's negative role in issuing residence permits and the high rate of refusal of permits on the grounds of alleged discrimination on national/racial grounds compared to the representatives of other countries. Migrants from these countries talk about racist and stereotypical attitudes on the part of the public, as well as structural racism and problems demonstrated in private and state institutions. It is common at the borders to illegally stop, delay, or unreasonably refuse to cross the state border. There are also frequent cases of physical and verbal assault motivated by racial discrimination. In several high-profile cases of racial discrimination, the TDI has defended the interest of migrants.

Since its incorporation, the TDI has also worked on issues of religious freedom and religious and ethnic minorities. The state policy analysis shows that there are many systemic problems in Georgia in terms of integration of ethnic minorities, implementation of inclusive policies and management of cultural diversity. Civic and political involvement and trust of ethnic minorities in law enforcement agencies and local or central government are low.

In multifaceted communication with migrants and ethnic minorities conducted during the systematic work on these issues, the need to study the practice of racial profiling and to detect ways and priorities for overcoming it in the future has been identified.

The present Research is the first to examine the current practice of racial profiling in Georgia based on the experiences of police officers, migrants, and ethnic minorities. We hope that this Research will facilitate the launching of the public debate on the problem of racial profiling and will help the state to pursue appropriate policies.

KEY FINDINGS OF THE RESEARCH

- Georgian law enforcement system is not familiar with the concept of racial profiling; there is no policy to combat racism and racial profiling.
- Although according to the self-evaluation of the police officers and investigators their existing knowledge and sensitivity to racial discrimination and cultural diversity is high, qualitative research reveals that there are acute systemic problems in this area.
- Some of the law enforcers surveyed in the Research speak in stereotypical language about different cultural, ethnic or religious groups. Often their preconceived notions are unintentional, indicating the lack of relevant knowledge and qualification.
- Law enforcement training programs do not cover topics related to cultural diversity management and racial profiling. Curricula for human rights and prevention of discrimination are inconsistent and imperfect. Also, the majority of law enforcement representatives, both the police officers and investigators, believe that there is a need to increase the police awareness of the prohibition of discrimination and cultural diversity.
- The ethnic minorities and migrants surveyed in the Research spoke about stereotypical, indifferent, or discriminatory attitudes and practices towards them by the police system and the government in general. According to them, there are frequent cases of unfair treatment, ineffective response to the alleged crimes committed against them, and a high rate of uninvestigated cases.
- Similar to the ethnic minorities, migrants from Asian and African states residing in Georgia also believe that it is common for the police to illegally stop them and require identification papers due to discriminatory profiling.
- The interviewed lawyers from non-governmental organizations, private lawyers, and those from the free legal aid service note that detention as a measure of restraint against ethnic minorities and migrants is systematic.
- Minorities, as well as police officers and investigators, talk about language barriers and translation problems, which significantly hinder flawless communication. According to law enforcement officials, the existence of a language barrier also has a negative impact on migrants' trust in the law enforcement agency.
- All parties involved in the Research – ethnic minorities and migrants, as well as law enforcement officers and lawyers – highlight problems with translation and interpreters' qualifications. According to the lawyers, detention and other investigative actions such as search, seizure and inspection are often carried out without an interpreter's involvement.
- According to the migrants from Asian and African states, they are being denied a residence permit by the government on the grounds of "security". The portrayal of people of a particular origin, ethnicity, or nationality as "threatening", "dangerous", and "risky" may indicate racial profiling by law enforcement and security services.

RESEARCH GOALS AND METHODOLOGY

The present Research aims to study the practice of racial profiling, especially in law enforcement systems of Georgia, based on the experience of ethnic minorities, migrants, law enforcement officials and lawyers. In addition, the Research examined the general attitudes of the respondents and their experiences related to discrimination, stereotypes, and negative attitudes in society towards ethnic minorities and migrants.

Accordingly, the following objectives were identified within the research to achieve the goals:

- Defining and understanding racial discrimination and racial profiling;
- Racial profiling and the related prejudices;
- Studying the experience of discriminatory profiling in Georgia;
- Studying trust of ethnic minorities and migrants in the law enforcement systems;
- Studying the level of sensitivity in the police system towards the different cultures and the awareness of such cultures.

Based on the Research objectives, the following target groups were selected:

- Migrants from African countries (Nigeria, Somalia) living in Georgia;
- Migrants from Asian countries (Iran, Bangladesh, India) living in Georgia;
- Ethnic Azerbaijani citizens living in Kvemo Kartli region;
- Ethnic Armenian citizens living in Samtskhe-Javakheti region;
- Police officers and investigators from Tbilisi and the regions;
- Lawyers from NGOs, free legal aid service and independent lawyers.

This research uses the desk and qualitative research methodologies. During the data collection phase, 21 in-depth interviews and seven focus groups were conducted. We applied a targeted selection method. The respondents were selected based on their ethnicity and country of origin, not based on their own discriminatory experiences. The table below visualizes the distribution of the interviews conducted within the Research by target group:

Picture №1:



Because of the regulations imposed due to the COVID 19 pandemic, the interviews were conducted online, using the Zoom platform. Transcripts made based on audio recordings of interviews were analysed through thematic analysis.

The detailed information on the design, methodology and data collection of the research is available in the **Annex**.

1. INTERNATIONAL EXPERIENCE

1.1 RACIAL PROFILING – DEFINITION

The term “racial profiling” has been in the American dictionary since the 80-90s. Racial profiling refers to the discriminatory practice by law enforcement officials of targeting individuals for suspicion of crime based on the individual’s race, ethnicity, religion or national origin.¹

In Europe, the problem is referred to as “ethnic profiling”. The European Union Agency for Fundamental Rights points out that ethnic profiling by the police becomes a problem when the police do not thoroughly investigate the matter and focus on the general characteristics of the person instead of specific behavior.² It should also be noted that the second European institution – the European Commission Against Racism and Intolerance – uses the term “racial profiling”.³

Initially, civil rights activists and NGOs in the United States were the ones focusing on racial profiling. They drew attention to the fact that the police officers stopped black people more often without any grounds than white people. This trend was repeated equally among pedestrians and drivers and indicated a racist intent or the existence of a racist environment in general. The civil rights activists launched numerous campaigns and public movements in response to this problem.⁴

In the modern context, racial profiling can already be applied to such general rules, instructions, and decisions when the only basis of the police action is the ethnic origin, appearance, religious affiliation, and other characteristics and not the circumstances associated with the dangerous conduct.⁵ The European Network Against Racism offers the most straightforward formulation and calls racial profiling – “the actions of a policeman and investigators rooted in unfounded suspicions based on attire, appearance, and beliefs.”⁶

1.2 EXAMPLES OF RACIAL PROFILING

There are many examples of racial profiling in Georgia, the United States, and Europe. The international experience analysis helps us see the challenges better, mark the “risk zones,” and better plan measures to prevent and respond to racial profiling.

1 American Civil Liberties Union (ACLU), 2017. Available at: <https://www.aclu.org/other/racial-profiling-definition>

2 Fundamental Rights Agency (FRA), 2010. Available at: https://fra.europa.eu/sites/default/files/fra_uploads/1133-Guide-ethnic-profiling_EN.pdf

3 European Commission against Racism and Intolerance (ECRI), 2017. Available at: <https://www.coe.int/en/web/european-commission-against-racism-and-intolerance/recommendation-no.11>

4 The Stopped – Ethnic Profiling in Finland, Heskinen et al., 2018. Available at: http://www.profiling.fi/wp-content/uploads/2018/04/The-Stopped_ENGL.pdf

5 Open Society Justice Initiative, European Network Against Racism (ENAR) 2009. <https://www.justiceinitiative.org/uploads/a8c80f4b-b69d-4bd7-9e6f-380353eb4ef3/Factsheet-ethnic-profiling-20091001-ENG.pdf>

6 *Ibid.*

To better understand the problem, here are some typical examples:

1. In response to a terrorist threat, the police shall be empowered to stop and search any person suspected of being involved in terrorism. Most likely, the threat comes from a terrorist organization that is active in a specific region of the world, but there is no more information about the topic. If a police officer stops a person only or mainly because their appearance suggests a connection to a particular region, this constitutes direct discrimination and would be illegal.
2. During another raid, law enforcement agencies decide to stop every tenth car in a city X from 21:00 to 01:00. 60% of the population of the city X that drives at these hours belongs to a particular ethnic group, while the population of this ethnic group in the city and surrounding areas does not exceed 30%. The measure is likely to affect one group more negatively than the other.
3. A police officer stops and searches a young man with a "foreigner" appearance without any grounds, because the officer suspects that he has committed a crime. Such a person would be discriminated against not only because of his age (as not all young people are stopped), or because of his ethnicity (as not all "foreign-looking" people are stopped), but precisely for being a "foreign-looking" young man.

Here we would also like to showcase a scenario where the problem of racial profiling does not arise. Hopefully, the example will give the reader a clearer picture of the issue:

According to the witnesses, the robbery suspect was wearing red sneakers and a blue hat, is 165-170 cm tall, 25-30-year-old man and presumably of Asian descent. In this situation, law enforcement agencies consider racial profiling to be legitimate because it is linked to specific information.

The examples show how complex the problem is and how difficult it is to prevent and fight it. Therefore, it is necessary to conduct a more in-depth examination of each police measure and the risks associated with it. There are police measures that carry a high risk of racial profiling. These are:

- Checking ID on the streets
- Raids
- Stopping, inspecting, and searching pedestrians on the streets
- Stopping, inspecting, and searching vehicles
- Using disproportionate force when stopping (such as handcuffing or threatening with a weapon)
- Searching public transportation
- Dispersal of groups of young people on the street
- Summoning in court for administrative violation after stopping a person or arresting
- Distributing disproportionate attention by the police to specific areas or certain types of crimes.

Cases of racial profiling often occur during immigration checks while **verifying identity documents**, both at international borders and within the territory of a state. Many citizens of Europe belonging to ethnic minorities are discriminated against by both the police and immigration/customs officials. In most EU member states, the reason for racial profiling is the poor enforcement of immigration laws. For example, law enforcement agencies have an unofficial weekly quota for arresting illegal immigrants in some countries. There is an indication that

they are allowed to go beyond their assigned districts to detain potential suspects.⁷ Thus, verification of identity documents may become a procedure based on racial profiling.

The practice of racial profiling is also common during **police raids**. Raids can be part of the exercise of police power and important law enforcement tactics. The legitimate purposes of the raids are: arresting a wanted offender, obtaining evidence of illegal activity, preventing the commission of a crime and/or confiscating the smuggled goods. Nevertheless, the raids can move into the category of inadmissible racial profiling when the police identify targets based on stereotypes about ethnic or religious groups as if they are prone to crime. Sometimes the police single out an entire community or neighbourhood just because a few people in that neighbourhood are involved in criminal activity. In practice, some police raids appear to go beyond legitimate purpose and serve to unlawfully harass minority communities.⁸

“Obtaining data” is another technique that is often – but not always based on profiling. Typically, obtaining data involves automated retrieving of personal information from large databases, such as immigration databases, student records, health, and housing recordings, etc., by using predefined characteristics. Some programs for obtaining data do not use exclusion but seek connections between the suspect and other persons with whom the suspect has been in contact, often using the telephone or the internet records. This type of data analysis is being used more and more. The basis of the method is the theories of “radicalization” that have emerged in the Netherlands, the United Kingdom and other countries in response to the phenomenon of so-called “domestic terrorists”. According to the given theories, a particular ethnic group or religious denomination may have more potential for radicalization. Accordingly, the police and intelligence services target members of these groups, even when there is no evidence that a particular person is involved in the activities of a terrorist group.

In addition, cases of racial profiling are found in the cases of investigation and prevention of specific crimes, in the enforcement of immigration policy and in the work of border agencies.

1. Racial profiling in the fight against terrorism:

In the fight against terrorism, law enforcement agencies use various methods, such as:

- Mass stops and searches
- Identity checks outside places of worship (e.g. mosques)
- Raids in workplaces
- Surveillance
- Obtaining data based on ethnic or religious criteria
- Identifying “suspicious persons” and collecting data
- Arrest or temporal detention

7 European Union Agency for Fundamental Rights (FRA) (2021), your rights matter: Police stops, Fundamental Rights Survey, Luxembourg, Publications Office. Available at: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2021-fundamental-rights-survey-police-stops_en.pdf

8 OSCE, Statements by the International Federation for Human Rights (HHSK) (Warsaw, (September 9-19, 2002). Available at: https://www.osce.org/files/f/documents/3/f/20052.pdf?fbclid=IwAR1Zrax1wh_UG0Q-bCgZTfKHUUwESBRhN89PA-1jZocGaFAnNu1oWfX6UKpY

- Deportation

These actions carry a high risk of racial profiling, and it is necessary to develop specific recommendations to safeguard both the main objective and the rule of law.

2. Racial profiling during immigration control and when deciding on asylum:

Cases of racial profiling occur during immigration control and when deciding on the issues of asylum. There are more cases of profiling when performing actions such as:

- Interrogating, searching and temporarily detaining people at airports and ports
- Pre-screening and removal from flights
- Studying immigration applications
- Studying asylum applications
- Deciding on immigration and asylum applications
- Stopping individuals on the streets for deportation

It is necessary to regulate these activities, to establish clear criteria, which will define a clear purpose and method of action for the authorized persons.

3. Racial profiling at customs:

The risk of racial profiling is high during the below scenarios:

- Stopping at border checkpoints, searching people and luggage
- Stopping and searching vehicles
- Issuing documentation for consignments, while registration is delayed for no reason, causing damage to the consignment, etc.

Such measures should be planned with extreme caution. Decision-makers need to be well aware of the responsibilities they will face for the misconduct committed by their subordinates.

1.3 RACIAL PROFILING – BASIS FOR VIOLATION OF THE FUNDAMENTAL RIGHTS

Racial discrimination is not only the basis for disciplinary proceedings against a particular state official but also threatens the protection of fundamental rights and places a high responsibility on a state. For an action to be lawful, it must be based on objective and reasonable justification. The activity will be considered illegal if it interferes too much with individuals' personal lives and/or does not comply with the rules applicable to the processing of personal data.

Under EU law, the right to respect for private life (Article 7 of the Charter of Fundamental Rights) and personal data protection (Article 8 of the Charter) are different rights. Despite the difference, the two are closely linked. The right to privacy (or inviolability) is a broader right that prohibits interference with a person's privacy. Personal life is not defined as goods a person wants to keep in secret, but as a means by which a person expresses their personality, for example, when they choose with whom to communicate and how to dress.

Article 9 of the EU General Data Protection Regulation (GDPR) explicitly prohibits the processing of details of personal information that reveal personal characteristics such as racial or ethnic origin, political opinion, religious or philosophical beliefs. This prohibition may be lifted in specific cases, such as protecting the public interest, provided that the repeal of this prohibition has a legal basis, is proportionate and necessary. For example, racial profiling may occur when processing information during a criminal investigation or in the context of a border inspection. However, there must be a reasonable doubt based on reliable information. For example, the reason for stopping a pedestrian may be a combination of several preconditions, such as race and ethnicity, attire (e.g., hooded sweatshirt, baggy pants), time of a day, and/or location (e.g., assigning a specific location to a crime risk zone). Illegal racial profiling occurs when a police officer makes decisions based solely on a person's race or ethnicity.

Numerous cases have been reported and brought to international courts and the UN Human Rights Committee. Hereunder we list some cases, as well as interesting study results, that will better demonstrate the urgency of the problem to the interested reader:

1. *Rosalind Williams Lecraft v Spain*⁹ – a police officer stopped a woman at the train station platform and asked her to show her ID. The woman asked the policeman why she was the only person stopped on the platform and received the following answer: “Because you are black.” The UN Human Rights Committee said in a decision that while identity checks are permissible to protect public safety, prevent crime and control illegal immigration, “the physical or ethnic characteristics of the target persons should not be indicative of their possible illegal stay in the country. Also, identity checks should not be conducted so that only people with certain physical characteristics or ethnic backgrounds become the target. This will not only negatively affect the dignity of the victims but will also contribute to the spread of xenophobic attitudes among the population; nor is this in line with effective policies to combat racial discrimination.”

2. *Timishev v Russia*¹⁰ – the plaintiff is a Russian citizen of Chechen ethnic origin born in the Republic of Chechnya. In 1999, he was travelling by car from Nazran (Ingushetia, Republic of Russia) to Nalchik. Officers from the Kabardino-Balkaria State Road Safety Inspectorate denied him access to the area. This implied oral instructions from the Ministry of Interior not to admit persons of Chechen ethnicity. The European Court of Human Rights found that the plaintiff's freedom of movement had been violated (Additional Protocol No. 4, Article 2), in conjunction with Article 14 of the Convention (prohibition of discrimination). The court clarified that not allowing Timishev to enter the territory because of his ethnic identity is racial discrimination.

3. *Lingurari v. Romania*¹¹ – the court found a violation of Article 14 of the European Convention on Human Rights (prohibition of discrimination) in conjunction with Article 3 (prohibition of inhuman or degrading treatment) during the 2011 police raid and violence on a Roma family in Romania. This was the first decision, concerning the case of so-called institutional racism against Roma people, where the European Court first used the term “ethnic profiling” in relation to the police measures. The court noted that the violent actions of the police were motivated by the ethnicity of the family and the negative stereotypical views towards the Roma people.

9 UN Human Rights Committee, CCPR/C/96/D/1493/2006. Available at: <https://undocs.org/CCPR/C/96/D/1493/2006>

10 TIMISHEV v. RUSSIA, Applications nos. 55762/00 and 55974/00, European Court of Human Rights, 2005.

11 Lingurar v. Romania, Application No. 48474/14, European Court of Human Rights, 2019.

4. B.S. against Spain¹² – a female sex worker of Nigerian descent who lived legally in Spain alleges that the Spanish police physically and verbally abused her on the basis of her race, gender and profession. She said that unlike other sex workers of European descent, she was repeatedly stopped by the police and was a victim of racist and sexist assault. The European Court of Human Rights found a violation of Article 3 (prohibition of inhuman and degrading treatment), but later conducted a separate examination of whether there was a possible causal link between the alleged racist attitudes and police violence. The European Court of Human Rights found a violation of Article 14 (prohibition of discrimination) because the domestic courts did not take into account the plaintiff's particularly vulnerable situation – an African woman and a sex worker.

5. In 2016, the French Court of Cassation ruled for the first time on the issue of discriminatory identity checks.¹³ The court found that police conducted a discriminatory identity check on 3 out of 13 persons of African or Arab descent. It found the State liable in these cases and ordered the payment of compensation to the three plaintiffs. The court also clarified the burden of proof in such cases: plaintiffs must submit evidence to the court to prove the existence of discrimination. The police have to prove the absence of different treatment when conducting an identity check, or that the different treatment is justified by objective elements. Moreover, the court found that judges could admit as evidence the research and statistical information that confirm the frequency of identity checks on a group of the population that the plaintiffs belong to. The Court found that the verification of identity on the basis of physical characteristics, in association with factual or presumed ethnic origin, without prior objective justification, was discriminatory and constituted a serious misconduct, which in these three cases implies the responsibility of the State.

6. Study: Ethnic profiling in Finland¹⁴ – in 2015-2017, the School of Social Sciences at the University of Helsinki surveyed 185 people about their experiences of racial profiling. The survey indicated that the majority of respondents rated their stopping in public by the police as an uncomfortable, disturbing or degrading experience. Below are some examples from the respondents' stories:

- ▶ “Then somewhat later, another police stopped me again [...], while I was walking along the street with two white friends: one Finnish and the other Dutch. And did exactly the same thing ... asking about the same question. I was pissed off because I did not know why I was being singled out. I asked them and they just claimed they are doing their job.” (Female, in her 30s, African country).
- ▶ “Once my mum and my brother were outside walking in town and then the policemen stopped them and they said “Show us your passports.” [...] And then my brother said in Finnish “We don't have our passports, we don't carry them all the time.” And then once they saw that he speaks fluent Finnish they were like “Oh never mind.” I was angry because I know ethnic profiling is illegal and my mom and my brother didn't know[...]” (Female, in her 20s, Somalia-Finland).
- ▶ “They always have a similar description all the time. It makes me wonder, so for 11 years they've been looking for the same person who managed to elude you guys, you're not doing a good job then, because the description they [border control] have is always similar, and I always match that description [laughter].” (Male, in his early 30s, African country-Finland).

12 B.S. v. SPAIN, Application no. 47159/08, European Court of Human Rights, 2012.

13 Cour de Cassation, Décision 1245, 2016.

14 Keskinen, S. et al (2018), The Stopped – Ethnic Profiling in Finland.

7. Border inspection¹⁵ – a study by the European Union Agency for Fundamental Rights (FRA) surveyed people who had the experience of racial profiling during border inspection:

- ▶ I understand why he stopped me but he didn't have to send me here [second-line check/police station], or treat me like a criminal. They do this with all Eastern Europeans – Passenger from Serbia, male, interviewed at Frankfurt.
- ▶ Question: How do you think the treatment was at the first-line check? Reply: I think it was not good. It was humiliating. He treated me badly. He just took my passport, looked at it and then just called immigration. He asked some questions and raised his voice, but I didn't understand anything. They took me out of the line but they did not respect me and they made me scared. Q: Why did you feel scared or humiliated? R: Because I didn't know what was going to happen and they couldn't explain anything. And a lot of people were around and the guard talked with the other guards without talking to me. Then I had to wait and I still didn't know why I was there. [Emphasis ours.] – Passenger from Angola, male, interviewed at Schiphol.
- ▶ "I really understand the [...] border guards. For them too, it is really difficult to work at the booths hours and hours! So, from time to time, they show negative attitudes, such as shouting, to people like us." (Male, Turkish national, truck driver frequently crossing the border, Kipi).

These examples will help us better understand the order applying in Georgia, the practice established by law, and to bring the activities of the police and other relevant institutions as close as possible to international human rights standards. In the next section of the Research, you will be introduced to the positions and experiences of different stakeholders on racial profiling in Georgia. The research allowed us to interview representatives of minority communities and migrants, law enforcement officers, and independent lawyers. Their observation, knowledge, and experience provide significant insight for future policy planning.

1.4 POLICY AGAINST RACIAL PROFILING – INTERNATIONAL EXPERIENCE

Policies designed against racial profiling consist of several essential components in states such as the US, Canada, and the EU. These approaches can be thought of as:

1. Acknowledgment of a problem
2. Active communication with the public
3. Creating a normative base
4. Data collection
5. Monitoring and accountability
6. Institutional reforms
7. Long-term action plan

This list creates a sort of action space and defines the basic principles for the decision-making services. It is important to understand that the problem requires a long-term strategy. While solving particular problems

15 European Union Agency for Fundamental Rights (FRA), 2014 Available at: <https://fra.europa.eu/en/publication/2014/fundamental-rights-land-borders-findings-selected-european-union-border-crossing>

immediately is both possible and necessary, new challenges arise that require the development of new tools over time.

Solving all problems begins with their understanding and acknowledgment. Acknowledgment is the most important political statement that a policy should be built on. Without recognition, it is impossible to fully participate in the problem-solving process and development of adequate tools. It is this approach that should be the starting point for combating racial profiling.

It is vital to create clear regulations that clearly explain to law enforcement officers their roles, functions, and ways to respond. The rules should give a sense of fairness to all persons against whom the established procedure is applied by a police officer, customs officer, or border police. Only such a normative environment will create a precondition for eliminating the problem of racial profiling.

Policymaking must be based on specific data that is being constantly updated. Only a policy based on actual data will yield the desired result. Most of the states surveyed by us are continually researching racial segregation, collecting and analysing information.

Complex policies, which include robust monitoring and accountability mechanisms in addition to institutional changes, are a prerequisite for problem-solving. We would like to emphasize that the policy should stand on a political statement that recognizes the existence of racial profiling. After such a statement, the government shall create relevant institutional and normative guarantees and mechanisms to solve the problem.

In general, findings of the qualitative research suggest that the definition of racial discrimination is mainly tied to political, religious, and ethnic aspects. Interestingly, respondents from Kvemo Kartli (ethnic Azerbaijanis) often provide definitions that, in addition to being related to their religious and ethnic identities, are also associated with their political views.

"I would like to talk about discrimination. There are three types of discrimination in our region – Kvemo Kartli: political, religious and ethnic discrimination. In my view, discrimination is a specific act which restricts my rights because I am Armenian, or Muslim or someone else." (Ethnic Azerbaijanis respondent, Kvemo Kartli)

"[...] there is serious political discrimination in Marneuli and not only with regard to education. Discrimination affects sports as well. Athletes cannot advance in their career because of discrimination on the ground of ethnicity." (Ethnic Azerbaijani respondent, Kvemo Kartli)

While discussing the notion of discrimination, it is evident that for ethnic minorities and migrants, discrimination is a systemic problem that they encounter because of their ethnicity, religion, origin, language, etc., both from the government and the public.

2.1.2 WHAT IS RACIAL PROFILING?

Interestingly, while surveyed respondents find it easy to define racial discrimination and generally feel free to discuss the phenomenon from different angles, their ability to define racial profiling is somewhat limited.

"I would like to understand the question more clearly to answer you properly." (Nigeria)

Most respondents hold that both racial discrimination and profiling constitute unequal treatment, however, they find it difficult to specify what exactly is meant by racial profiling and what practices it involves.

"It is difficult to see a difference between them since, in my opinion, both are associated with the restriction of human rights". (Ethnic Azerbaijani respondent, Kvemo Kartli)

"Discrimination perhaps implies more of neglect of a person based on personal characteristics. Racial profiling, on the other hand, is when a person is abused based on his or her origin". (Ethnic Armenian respondent, Samtskhe-Javakheti)

Those respondents who provide a definition of racial profiling mostly talk about 'differential treatment' relating to 'race', religion, culture, etc.

“Profiling may occur because of a religion, culture, when a person is treated differently in the same society because of his or her personal characteristics”. (Ethnic Azerbaijani respondent, Kvemo Kartli)

“For me, profiling is like, if you are from this country, you are from this group of people, then there is a way things must go with you if you are being profiled in a particular manner.” (Nigeria)

When asked to define racial profiling, respondents often refer to ‘actions’ by individuals, as well as state authorities, banking and private sectors and law enforcement institutions.

Findings of the qualitative research have shown that culture is the context in which racial profiling is often viewed by respondents. The word map below contains the words that foreign citizens/migrants most often used to describe discrimination in law enforcement institutions. The analysis suggests that ‘dangerous’, ‘racism’ and other racist modifiers relating to skin color are the words that are most often used. In addition to cultural aspects, it is interesting to observe, that respondents with ethnic minority background mostly talk about religious differences while migrant respondents focus on a different ‘race’ or a skin color while discussing racial profiling.¹⁷

Picture №4 – the words used by migrants from Asian and African countries



17 The pictures were created based on the analysis of interview transcripts. Since some interviews were conducted in Georgian while others in English, the word mapping is provided in both, Georgian and English languages. The maps were generated by a research software based on the interview transcripts.

“As I understand it, racial profiling is paying special attention only because they ethnically belong to other nation. I think this may snowball into discrimination”. (Patrol police)

The present research has proven that the notion of racial profiling is unfamiliar in Georgia because there is no policy against such practice in the law enforcement system. This reduces the access to justice for the victims of discrimination and normalizes racial profiling within the police system.

2.2 EXPERIENCE OF RACIAL PROFILING

2.2.1 DISCRIMINATORY PROFILING AND STEREOTYPES

Respondents also talked about their experience of being a target of xenophobic and racist sentiments displayed in society. The lived experiences are not always related to interactions with law enforcement agencies. However, they encourage a discriminatory environment, which, in turn, translates to sentiments among law enforcement officers and a degree of trust towards state institutions among minorities.

Many stereotypes that respondents from African countries shared relate primarily to their ‘honesty’, ‘lack of trust’, ‘theft’, etc.

“There are these stereotypes Nigerian girls want to sleep with everyone, guys are thugs, if you are making money it is not clean, probably you are stealing. They just stereotype all that and everybody sees that; in the school administration they treat you like a dog, personally I just want to be out of here.” (Nigeria)

The respondents in Georgia from the Middle Eastern countries believe that they are particularly stereotyped as ‘terrorists’ or ‘threatening’.

*“I am Muslim, and **they think I am terrorist and some kind of danger**”. (Iran)*

As for prejudices that affect representatives of ethnic minorities, ethnic Azerbaijani respondents relay that they are often perceived as ‘uneducated’. When it comes to women from that community, they are viewed as having been married at a young age.

“Often, in public transport Georgians call them ‘Tatars’ and if something bad happens, they are to be blamed. If you are Azerbaijani, they often think that you are uneducated and if you are a woman, you must have been married at a young age”. (Ethnic Azerbaijani respondent, Kvemo Kartli)

Respondents who are ethnic Armenians talk about Armenophobia. They believe that ‘liar’, ‘greedy’, ‘traitor’, ‘thief’ are the words most often used to describe them. Some respondents draw a comparison between Armenophobia in Georgia and antisemitism elsewhere in the world.

Some respondents talk about certain ‘labels’ drawn from their experience of interacting with law enforcement agencies. They report that there are certain prejudices among law enforcement officers: if they are black, they

have to be criminals. Their experience suggests that they are perceived as 'suspicious' because of their skin color, and the police often stop them in the streets without any ground.

„Sometimes.. police harass you, checking your number like you are a criminal, but we are not criminals, we are studying, and we show our ID. This has to change, because it makes so many people leave Georgia“. (Nigeria)

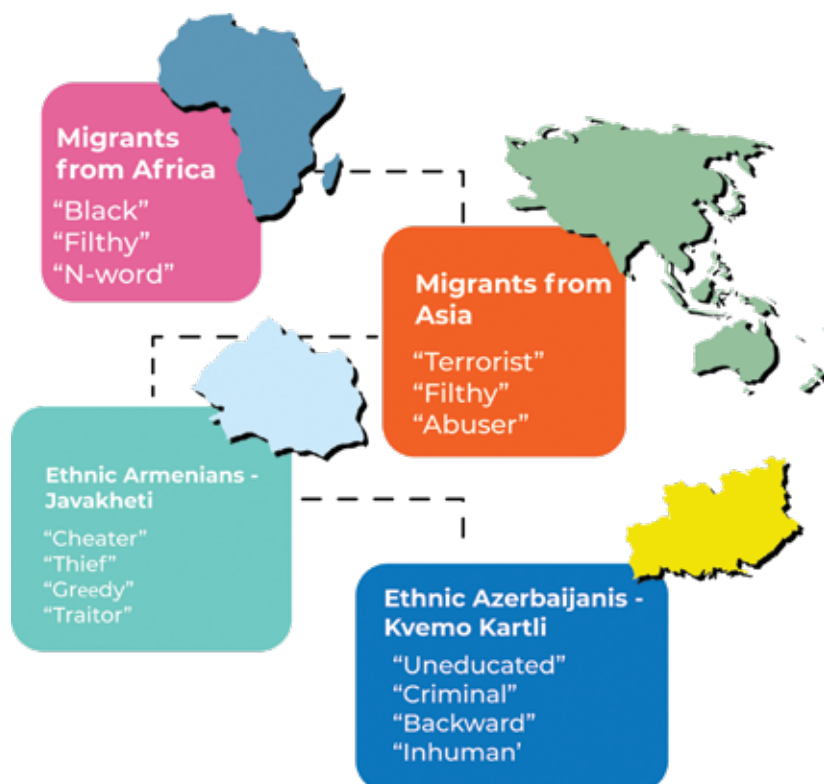
“Because of such cases I can not enjoy being in Georgia. You spend dollars for court and every corner police harass you. It is not about foreigners, it is when they see a black person they will come and ask for ID. There are many white foreigners who do not have papers, but they do not do this. So it became like they are going after black people, they look for black people. So they are more biased“. (Nigeria)

Some respondents believe that them being profiled in the street without any reason, has to do with the color of their skin.

“These kinds of things also happen in the buses, they have someone who checks people, there are so many people coming down from the bus and they ask specifically black people where their tickets are, I am like, am I the only one coming down from that bus? they look foolish, I know I am only one black person in the bus and they ask me specifically, so those are the issues“ (Nigeria)

The picture below represents a map of the words that reflect respondents' experience concerning commonly used labels and stereotypes about their groups.

Picture №6



Respondents believe that lack of information among the wider public and law enforcement agencies contributes to strengthening stereotypes, which, in turn, constitute one of the important factors leading to discriminatory actions and hampers their full integration in society.

2.2.2 RACIAL PROFILING AND GENDER

Some respondents talk about their experience relating to racial profiling coupled with gender stereotyping. A considerable part of female respondents reports that the way they dress and other external traits often constitute the ground for racial profiling.

Some surveyed female respondents recall cases when they were targets of discriminatory profiling. They report that whenever their clothes or other external traits reveal their ethnic background as ‘unprivileged, non-European or non-American’, attitudes towards them change immediately, mainly manifested in ‘rude conversation’. Gender-based discrimination seems to particularly affect respondents from Iran and ethnic Azerbaijanis of Kvemo Kartli.

2.2.3 RACIAL PROFILING AND RELIGION

In their interviews some respondents recall cases of discriminatory profiling on the basis of religion.

“As an example, against the backdrop of Covid related restrictions, religious minorities were not allowed to participate in celebrations unlike members of the dominant church. This constitutes discrimination”. (Ethnic Azerbaijani respondent, Kvemo Kartli)

Interviewed law enforcement representatives believe that there are no instances of discriminatory profiling based on religion ‘in the Georgian reality’. They argue that their stance is to protect the citizens’ rights insofar as possible and consider religious traditions while policing.

“Also, there was an Arab lady and according to our law, women must be searched by a female officer. However, the lady requested that there be no man present even in the adjacent room”. (Patrol police officer)

At the same time, representatives of law enforcement agencies note that they protect the rights of all individuals regardless of their faith. However, the police are often scolded for their inadequate response to offenses. Some of the interviewed police officers display strong prejudices towards specific minority groups. They suggest that they have to be rather careful with ‘Jehovahs’. They also hold that if a person is ‘Georgian’, they are Orthodox Christian.

*“You have to be extremely careful with every word you say to Jehovahs, because they have a constant sense of protest. They believe that we ask them questions because they follow other religion. They file complaints etc. However, in reality, the law is the same for all. We have often indicted those who they had had problems with. Even in such cases, **they think that we were lenient towards these persons because they were Georgians**”. (Patrol police officer)*

However, representatives of law enforcement agencies stress that the majority of the population are friendly and 'believe that the police are there to protect them regardless of religious beliefs.'

2.2.4 RACIAL PROFILING AND LAW ENFORCEMENT

The findings of the qualitative research suggest that most respondents have lived experience of racial profiling in interaction with law enforcement agencies. Stories shared by foreign respondents represent particularly apparent cases of racial profiling practiced by the police. Some of them underline that if a conflict situation involves an ethnic Georgian, s/he enjoys unconditional support from the police system.

"I have had experiences with the police several times, I think they are a little bit biased ... they are biased if you are foreigner, they treat Georgians and foreigners differently and if the case involves Georgians and foreigners, they will rather support Georgians". (Nigeria)

Conversely, representatives of the law enforcement agency think otherwise. They believe that there have been no cases involving racial profiling in their practice. They stress that any actions they undertake serve to establish grounds for the legal stay of foreign nationals in the country. However, the examples they shared display a stereotypical and discriminatory attitude towards representatives of certain countries.

*"In fact, for us it does not matter which country a foreign citizen comes from. What is important is that they come from a foreign country, whether it be Europe or the U.S. I have checked a Swedish citizen, a Swiss and an American. **Yet, the worst experience we have had with blacks – Nigerians to be exact. They are aggressive.** I do not know why. It does not matter if you are polite – they are nevertheless aggressive. They think you are intimidating them. **Indians are the most law abiding and polite.** We stop every foreign nationals, not only blacks. We are interested in the legal grounds of stay of all foreigners". (Patrol police officer)*

Notably, law enforcement officers recall when a patrol police officer approached Roma community members 'inappropriately'. However, they relay that an adequate response followed this incident.

"I just recall a case involving a complaint against the police. One patrol police officer addressed [a person] as a 'gypsy' and a human rights defender heard this and immediately called the General Inspectorate demanding that the person be addressed as 'Roma'. The officer was strictly reprimanded." (Investigator)

Most migrant respondents point out that they try to 'keep away' from interacting with the police because they do not trust the latter and feel insecure. Because of this, they are reluctant to go to the police even when they are victims of violence or other offenses.

Experience of racial profiling shared by migrant and ethnic minority respondents during interviews are grouped into the following categories:

STOP AND SEARCH

Findings of the qualitative research indicate that respondents are the most concerned with unlawful stop and search practice based on their 'profiling for being different'. Migrant respondents believe that their skin color is often perceived as a trigger for 'unfair' and 'unjustified' searches.

Ethnic Azerbaijani respondents from Kvemo Kartli are those who have to tell the most frequent and aggressive search stories.

"Last year the police searched [a house]. We were watching live as an owner of the house was livestreaming the search. The police did not even tell the owner who they were and why they were searching the house or if they had a warrant. [the police officer] was rude while answering questions and the owner was kicked out of the house. However, s/he continued filming a video from across the window and everybody saw how the police planted drugs in the table drawer. After this everyone saw how the police work in the regions". (Ethnic Azerbaijani respondent, Kvemo Kartli)

Interestingly, according to a view commonly held especially by ethnic Azerbaijani respondents, poor knowledge of the Georgian language often propels law enforcement officers to act more aggressively.

"They are more aggressive when they see that you find it difficult to talk in Georgian. When I was enrolled in the university, I was almost always stopped and searched by the police". (Ethnic Azerbaijani respondent, Kvemo Kartli)

The great majority of the migrant respondents believe that police stop and demand for personal identification documents resulting from discriminatory profiling is the most common practice in addition to an illegal search.

"Yes, it has been happening a lot. They stop foreigners if their ID is valid, they let you go, if it is not – they stop and check you, so I have my ID with me all the time". (India)

Interestingly, law enforcement representatives have a different view. Their vast majority confirm that they have to stop foreign nationals as often they have information on specific matters under investigation which need to be verified.

"For instance, part of our job consists in identifying foreigners illegally staying in the country. Sometimes, when we patrol the streets, [a person] avoids eye contact, or walks away which causes reasonable doubt and we have to check if the person is staying in the country illegally.... This happens mostly with Indians and Iranians". (Investigator)

"We encounter problems in situations when an investigation has been launched and we have information and description of a citizen of a specific country. In this case we may stop citizens of this country in the street, but it is difficult to explain to them why they are stopped. They have an illusion that we do so because they are racially profiled. But there is no such practice of stopping and searching a citizen of any country without a reason." (Patrol police officer)

It is noteworthy that representatives of law enforcement agencies corroborate what foreign nationals believe to be an attitude towards them and admit that they 'overreact'.

"We ... are interested in their lawful stay in the country. But when they commit an offence and we respond, they become aggressive and think that the reason behind our response is that they are from Nigeria. In reality, it has no racial bias. We are responsible before the law to respond. They can file a complaint and we give directions where to go to complain. They also get that we simply act within the frames of the law. But they claim from the beginning that we stop them because they are not Georgians. Of course, we explain that we have the obligation and that they are ordinary citizens". (Patrol police officer)

Interviewed lawyers report that ethnic group members and migrants are often stopped in the streets. Some believe that this practice most often targets nationals of Asian, African, and Near Eastern countries. The ground for police stops is to ascertain whether they are legally staying in the country. If a person fails to produce verifiable proof, they are taken to the migration department or the police office.

The practice of the interviewed lawyers suggests that law enforcement officers often stop people based on their skin color or other personal traits. A lawyer with private practice points out that police officers often pursue the illegal search in addition to stopping foreign nationals in the street. S/he recalls a case when the police attempted to search him/her without providing any legal grounds (the lawyer is an ethnic minority).

„Law enforcement officers pursue a different tone and behavior while interacting with members of ethnic minority groups. If a person from such a group retorts, s/he will be fined unconditionally" (Lawyer)

The interviewed lawyers also mentioned the work of the criminal police and community officers. Criminal police officers are often the ones who carry out "raids". They are dressed as civilians, which makes their identification difficult. For this reason, it is often hard to hold them responsible for unlawful actions. Lawyers believe that community officers exercise control over foreign nationals in the streets. The respondent also relayed that the police officers often surveil places where religious groups gather in order to check their members.

Lawyers working for Free Legal Aid Service are less aware of stop and search cases since they step in only after detention and indictment according to the Georgian legislation.

UNINVESTIGATED CASES

According to representatives of ethnic minority groups residing in Georgia, those offenses committed against ethnic minority groups are mostly open. Their experience suggests that pursuing law enforcement agencies to launch investigations is no easy task. Interestingly, respondents believe that the media has a positive role in ensuring that cases are investigated adequately.

"If there is media coverage, this influences the case. However, we have no information as to how the case is closed. There was a case involving a kidnapping of a girl. There were media outlets, the police and the guy was released as if nothing had happened. Nobody reported how the case ended". (Ethnic Azerbaijani respondent, Kvemo Kartli)

According to ethnic Armenian respondents, investigative bodies demonstrate particularly strong ‘neglect’ when it comes to cases involving representatives of this specific group.

“There were over 100 cases last year which the police did not investigate even though I know that in Ninotsminda or in my village, people go to the police”. (Ethnic Armenian respondent, Samtskhe-Javakheti)

The lawyers were particularly vocal about identical practices of uninvestigated cases involving ethnic minorities. A lawyer working for an NGO recalled two such instances:

“A neighbor committed a crime – premeditated murder, on the alleged ground of ethnic intolerance. There is evidence – a video recording in the case file. However, nobody has been charged for a criminal offence to this day”.

The lawyer talks about an alleged racial discrimination occurring during the time of the pandemics:

“After a taxi drive, passengers who were from one of the Central Asian countries, the driver asked to pay more than the market price. Their protest was followed by aggression not only from the taxi driver but also passers-by. They were then attacked. Beneficiaries declared that they heard words such as “Corona” and “Chinese”. Apparently, they were taken as Chinese. Beneficiaries have not been given a status of victims to this day. There has been no reference made to the racial ground by an investigative body even though witness statements corroborate the fact”.

IMPRISONMENT AS THE MOST COMMON FORM OF SENTENCING

The interviewed lawyers from both public and private legal services point out that there is a consistent practice of sentencing ethnic minorities and foreign nationals to imprisonment. In most cases, prosecution demands imprisonment on a usual ground, which is the accused’s alleged risk of leaving the country. The court, in almost all cases, upholds the prosecution’s demand for imprisonment.

A lawyer working for free legal service stresses that the parties manage to strike a plea bargain in most cases. The respondents believe that imprisonment that foreign nationals are sentenced to in the vast majority of cases constitutes a discriminatory practice.

NEGLECT AND FAILURE TO DISCLOSE FULL INFORMATION

Some respondents, primarily ethnic Armenians and Azerbaijanis, talk about neglect by police officers while prescribing fines. More specifically, respondents explain that police officers fail to provide an adequate explanation of the ground of fining.

"I often see that people [ethnic Azerbaijanis of Kvemo Kartli] are not told why they are fined and if they have questions, they are told to go and complain". (Ethnic Azerbaijani respondent, Kvemo Kartli)

Some respondents believe that because of racial profiling, the police demonstrate indifference with regard to a series of matters affecting the former. The respondents hold that the police, instead of doing "actual work", often get by "giving recommendations" or "registering a complaint".

"They are doing their best as a painkiller, but they are not solving a problem. Few things happened to me and I went to the police and asked for help but I did not receive any answer. Who can help us, we do not need Zoro, it is just legislation, if the police can not do that, will somebody else do it?" (Iran)

DETENTION AND TRANSFER TO THE POLICE DEPARTMENT

Often, detention and other investigative actions such as search, obtaining and examining evidence occur without a translator's presence. Most lawyers point out that there have been many instances of ethnic minorities not being informed about legal grounds for their detention and transfer to the police department.

A lawyer with private practice recalls a case when a woman of African origin was transferred to the police department to confirm her identity and check the status of her stay in the country. They referred to the detainee as a "chocolate girl" and asked if "her child was black".

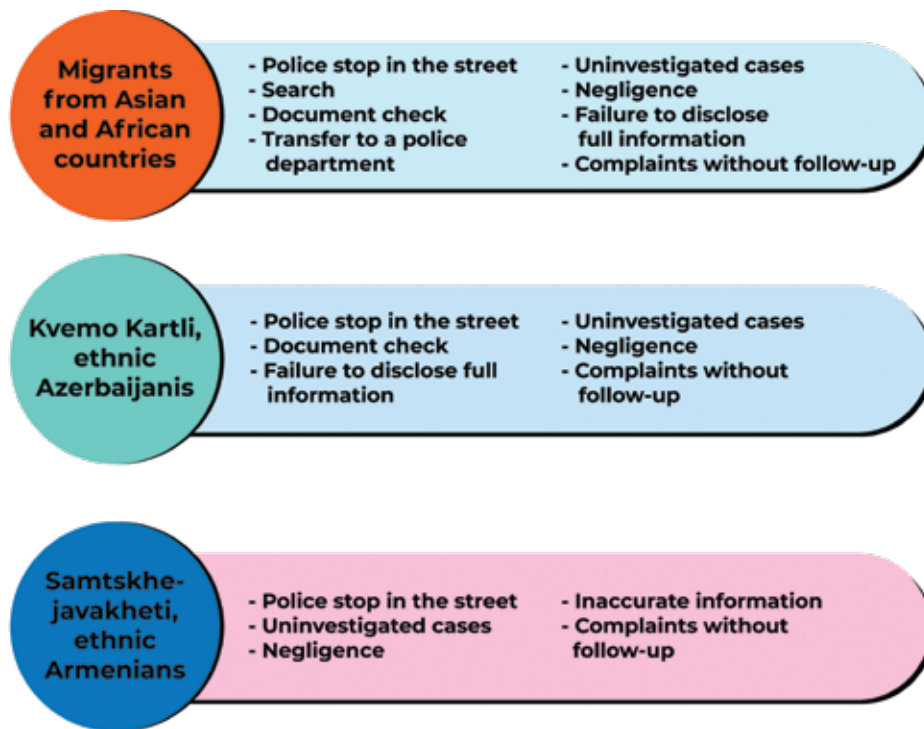
A lawyer working for an NGO reported that during a police raid, an ethnic Azerbaijani was transferred to a police department without any legal grounds. However, the person was released immediately after the organization stepped in. *"One of the cases involved an ethnic Azerbaijani who was transferred to the police department without any legal grounds. They took away their personal items. The person had been trying to reclaim the seized items for three days".* Grounds for detention remain unknown for both the lawyer and the beneficiary.

The lawyer working for the NGO believes that one of the main problems regarding detentions is a "nonchalant" attitude among law enforcement officers towards citizens of African and Asian countries, which derives from cultural differences and the lack of Georgian language knowledge.

A lawyer with private practice told an interviewer that police officers verbally insult representatives of minority groups and recalls misconduct by the police. Representatives of ethnic minorities were verbally abused first by police officers, then by investigators who told them that they would detain and prove non-existent offenses whenever they pleased.

The picture below shows various characteristics of racial profiling compiled based on the thematic analysis of interviews with respondents and grouped according to the geographical scope and ethnic/national affiliation. Based on respondents' accounts, the experience of being a target of discriminatory profiling seems to be the most different among foreign nationals.

Picture №7



2.2.5 RACIAL PROFILING AND LANGUAGE BARRIER

Interestingly, a considerable part of the respondents believes that the knowledge of Georgian significantly reduces the negative experience of racial profiling. They recall that the attitude of police officers changes after representatives of minority groups talk to them in Georgian.

“When, by appearance and clothing they guess that the person is not Georgian, they talk in a rude manner. When they see that the person can speak Georgian, the attitude changes. This is what upsets population more than discrimination” (Ethnic Azerbaijani respondent, Kvemo Kartli)

The experience of migrants residing in Georgia and respondents from ethnic minority backgrounds suggests that lack of knowledge of Georgian remains a serious challenge that hampers access to public services and cooperation with law enforcement agencies.

“No, they do not know. There are far too few Armenian police officers. Georgians do not know either Armenian or Russian. I have heard that if you can speak Georgian, they may let you go. But if you speak Armenian, they may even fine you. There have been such cases.” (Ethnic Armenian respondent, Samtskhe-Javakheti)

Part of the migrant respondents speaks about a “serious problem of communication with the law enforcement” that causes serious “misunderstandings”. The respondents recall cases when the police falsify their testimonies because of the lack of language knowledge and thus push them to abandon intent of reporting.

*“I said I do not understand this document, get me a translator, I needed a translator **because they were forcing me to sign it** and I felt something was wrong. I told either you get me a*

*translator or give me the document and I will translate before I can sign. They got me a translator and **it was written that no one stole my purse**. That was my experience not first but second time, so I told let me just forget about this document, I am leaving, but **two policemen blocked me, they told me they would arrest me until I sign the document**. So I had to sign the document. I had no other choice. Now when I have such situations **I do not go to the police. I know they won't help**". (Nigeria)*

Representatives of law enforcement agencies also share the opinion that the lack of knowledge of the language remains a serious challenge.

"It took us a while to make [the foreigner that we stopped] understand what was happening and that we were not going to take away their medication. There is a problem with interpreters as well. A direct contact makes the whole difference. When a third person steps in, you have to first explain to them. Often I am not even sure that what I say is relayed accurately. A language barrier is a problem. Younger generation has better knowledge of Georgian and therefore, it is easier to interact with them." (Patrol police officer)

Representatives of law enforcement agencies report that the problem with regard to translation is particularly impactful during interaction with those who do not speak English since finding an interpreter who knows their native tongue is no easy task. This, in its turn, protracts the process.

"it is difficult to find their interpreter. There are not many who can speak Hindi. Therefore, we have to first translate into English and then into Georgian." (Investigator)

In addition to the lack of interpreters, representatives of law enforcement agencies also complain about the quality of translation. Their experience suggests that the essence of the conversation is often lost in translation.

"When it is a lengthy process, information tends to get lost – the emotion that I imbed and what I want may not be translated accurately or [an interpreter] may translate with her/his own interpretation. [A foreigner] often gets upset when we ask again and again and they have to specify over and over". (Investigator)

At the same time, police officers recall frequent cases when persons talk in various dialects, making it hard to understand what they have to say, even for interpreters.

"They have different dialects. Often interpreters say that the person talks in a different dialect. We sometimes lose the whole day to find an interpreter." (Investigator)

Patrol police officers stress that body language is often the only way out for a conversation to occur before an interpreter steps in.

"A language barrier is the main problem and before the arrival of an interpreter we have to use gestures or some other ways to make [them] understand to show us the documents that we need. We may even get by without an interpreter. That's why we try to make [them] understand to show a passport." (Patrol police officer)

Notably, according to interviewed representatives of law enforcement agencies, communication problems often end up with “mistrust” from foreign nationals. As a result, the latter often refuse to sign an interview report. Reportedly, mistrust towards an interpreter is often projected onto the police since “foreigners often consider interpreters as the police staff”.

“There have been cases and, when this happens, there is a signed note confirming that they do not trust. Sometimes they may consent to what is written is correct but refuse to sign out of mistrust. They believe that interpreters are part of the police staff and that s/he has read what is acceptable to the police rather than what is written. However, such mistrust is rare and does not happen often. A language barrier is yet the most complicated problem.” (Investigator)

In addition, according to the representatives of law enforcement agencies, case proceedings are significantly hampered by the fact that a considerable part of foreign nationals residing in Georgia finds it difficult to write in any international language, which further complicates the signing of a report. During an interview, police officers and investigators grouped foreign nationals into countries of origin based on “language and literacy”.

“The problem is that whenever we need to write a report and a citizen does not know any of the international languages – English, Russian, French etc. Also, Bangladeshi citizens create a big problem because they are versed in many languages. When they do not know any language and therefore, we cannot understand which translator we have to bring in, we have to make them understand by using signals and cues. Sometimes we visit a place of residence and ask others etc. or we try to understand by looking at citizenship. But you may be a citizen of a country without knowing the language of that country. In addition, there is also a problem when they know the language, but they cannot handle writing which is necessary for putting together a report. We compile a report in Georgian and then the document is translated in the language of the signing”. (Investigator)

Respondents from law enforcement agencies say that the process gets easier when it comes to citizens of Korea and China when they bring along an interpreter or a person who “simplifies” the process of communication. They relay that they encounter language problems in communication with nationals of Syria, Bangladesh, India, and Nigeria. Importantly, language problems are particularly acute for those police officers operating in the regions.

“Communication with them is extremely complicated. We need more staff whether it be interpreters or others. We are hard up in Kutaisi, not as much with Russian and English speakers as with speakers of Hindi, Chinese etc.” (Patrol police officers)

It is worth noting that while law enforcement staff talk about challenges relating to languages during interactions with foreign nationals/migrants, their absolute majority believe that language does not create any barrier in the communication with Georgia’s ethnic minorities.

The vast majority of interviewed lawyers question the expertise and impartiality of interpreters assigned to persons with little or no knowledge of state language. They believe the situation to be precarious. One respondent told the interviewer that Armenian and Azerbaijani beneficiaries are often assigned a Russian language interpreter during an interview. It was also mentioned that ethnic Azerbaijanis are often provided with a Turkish language translator, which automatically puts the quality of provided translation service at question.

A lawyer working for a free legal service mentioned a case in which an accused not only failed to understand what a translator was saying but found the communication entirely impossible to comprehend. As a result, a search report had to be translated orally.

A lawyer working for an NGO recalls a case when the police officers had to resort to Google Translate to communicate with a detainee. Another case that the respondent brought to the interviewer's attention involved a situation whereby the police communicated with the detainees through a phone conversation with an identified person.

Whenever translators provide inaccurate information to the accused, lawyers, provided that they have a command of that language, try to intervene and correct the information. However, it is not always possible to check the accuracy of the information in all languages provided by translators.

Most lawyers participating in the research point out that a form of communication and cooperation between translators and law enforcement officers often raises questions about the impartiality of the former.

A lawyer working for an NGO reportedly discovered that because of inaccurate translation, an interview report containing incorrect information complicated the defendant's situation. The lawyer pointed out that law enforcement agencies were frequent clients of the interpreter in question, which raises the suspicion of this person being involved in the process for a purpose.

One of the interviewed lawyers witnessed the interpreter saying the following to the accused: "What right to remain silent? If you invoke the right to remain silent, the judge will nevertheless not let you go". In another case mentioned by another lawyer, a translator was trying to pursue the accused (an ethnic Azerbaijani citizen) to cooperate with the investigation.

The lawyers participating in the research report that some translators have demonstrated openly stereotypical and hostile attitudes towards the detainees with various ethnic backgrounds: "Is s/he too a drug dealer?"; "Look what s/he looks like!" etc.

According to the Georgian legislation, the criminal proceeding shall be conducted in the state language. If the individual has little or no knowledge of the state language, the state shall assign a translator to be invited either by the court, an investigator, or a prosecutor. Therefore, the state pays a translator, and s/he is an essential participant of the process assigned by the state while a victim or an accused has no say in the selection process.

2.2.6 RACIAL PROFILING WHILE CROSSING THE BORDER

Some interviewed foreign nationals talk about cases of racial profiling starting right at the border checkpoints. Nigerian respondents appear to have had the most "traumatic" experience right upon landing in the airport. They believe the ground for profiling to be their "skin color" and "a Nigerian passport".

„In the airport, If you are travelling and immediately when they know that you are Nigerian, the way they react to you is totally different, not as friendly as if for example, they get to know that person who is black but British person, yeah, it is different.“ (Nigeria)

Interviewed migrants point out that their experience of crossing the border involves not standard procedures, but first and foremost, a differential treatment from the border police, which, inter alia, includes "a phone call".

“When you come into the country, they get on the phone. When they look at our passport the next thing they do they call and say “Nigeria... Nigeria ...”and sometimes probably the pro-

The majority of ethnic Azerbaijani and Armenian respondents residing in Kvemo Kartli and Samtskhe-Javakheti regions bring up the case of local self-government as an “excellent” example of “uncovering” discriminatory profiling pursued by state authorities.

Most of them talk about “neglect” and “lack of attention” characterizing actions of the local self-government. They believe that such an attitude often translates into a “protracted process” of obtaining information.

Respondents believe that it is the result of such typical “negligence” that public information, as a rule, is available only in the Georgian language. Official webpages and social media pages of local municipal councils in Kvemo Kartli and Samtskhe-Javakheti regions provide information only in Georgian, which poses a significant barrier for local ethnic minority communities of obtaining information on time.

“You will find posts in Georgian on the official webpage run by the municipality. However, there are no posts in Armenian. During the pandemics these announcements were of critical importance and when I addressed them, they did not even want to talk to me.” (Ethnic Armenian respondent, Samtskhe-Javakheti)

Interviewed respondents from Samtskhe-Javakheti argued that even though local ethnic minority citizens can apply to the local municipality in the Armenian language, the municipality’s response is returned in Georgian. Such an approach hampers obtaining information, engaging in public life, and integrating for the local ethnic minority community.

Limited access to public/state services and information is named as one of the biggest challenges by both ethnic minorities as well as foreign respondents. Therefore, the majority of respondents mention different ways of obtaining information about available public services. According to them, while searching for information, they mostly rely on friends, relatives, family members, and social networks. A vast majority talk about the “information vacuum”, as a result of which they struggle to obtain information or access public services.

Even though some respondents positively assess their experience of accessing public services offered by Houses of Justice, others talk about challenges and discrimination they have faced.

„In state institutions we feel discriminated sometimes and we do not get what we deserve. They judge us regarding other issues, not our issues. They do not investigate our cases clearly.” (Bangladesh)

Respondents highlight examples of differential treatment based on their ethnicity, religion, origin, or color of skin. They believe that the color of their skin has a direct influence on communication with them. Communication gets even more complicated or “aggressive” in the presence of a language barrier.

“I remember an occasion when I was in the House of Justice handing over my ID. [Representatives of the House of Justice] started talking in Russian or talking in a rude manner. The attitude changed immediately when we started talking in Georgian, as if I was not a human being before and now they acknowledged I was one.” (Ethnic Armenian respondent, Samtskhe-Javakheti)

The language barrier has been recognized as a particularly acute problem in the regions. A low level of awareness further impedes timely and effective access to services. Moreover, some respondents argue that chal-

lenges exist in those areas, which are supposed to be well managed by the state and completely accessible for ethnic minority groups.

“You have to book your visit before going to the House of Justice. This elementary thing is a huge problem. I am often approached to help book a visit in the village. Even such an elementary thing is difficult for them because of a language barrier. Then we found out that this site “mygove.ge” is also run in Armenian, though local communities do not know about this. Can you imagine?” (Ethnic Armenian respondent, Samtskhe-Javakheti)

Majority of migrant respondents mention challenges relating to their attempts to obtain residence permit. These challenges, respondents believe, are directly linked to their “unprivileged countries of origin”. They argue that rejection of their application for a residence permit is often groundless, or the entire process is protracted because of the red tape. They describe the experience with the state as “humiliating” and “disappointing”.

“Resident permit, I have applied more than five times and used to get the same results. It does not make sense when you provide all the necessary documents and are still denied. This does not affect me financially, it affects me mentally because you can not get explanations.” (Nigeria)

Moreover, some of them talk about growing cases of individuals leaving the country due to “unfairness” with which they were treated in their pursuit of a residence permit. Others bring up a protracted process which also incurs financial challenges.

„If we are applying [for the residence permit] again and again and they keep taking our money, many people will leave. I have friends who left Georgia because of some problem, they applied numerous times and were denied, so it just does not make sense to me.” (Nigeria)

Notably, migrants from specific countries are refused a residence permit on the grounds of “state security”. Displaying persons with certain ethnic backgrounds as “threat”, “danger” or “risky” by law enforcement agencies and security services may be an indicator of racial profiling.

“I have met Iranians who have been denied a resident permit, not because they do not have money, but because they are Iranians. I know an investor who spent money and bought a house, but he had to sell it, because he did not get a resident permit. I have invested much, but I do not get a resident permit. So most foreigners want to work, but law is not favorable. If we could work, everybody would benefit from what we can bring.” (Iran)

“There are many white foreigners who do not have papers but they do not do this, so it becomes like they are going after black people, they look for black people, so they are more biased and the government is even more biased and corrupted. They allow corruption to increase, because you have to use corrupt means to get your resident permit, even if you have legal documents you still have to go after corrupt means to get a resident permit.” (Nigeria)

The great majority of the migrant respondents believe that complications of obtaining a residence permit are directly tied to the Government's discriminatory policy and view the practice from the angle of racial profiling.

“ It is up to them to say that okay, if you have all the papers, you are free to have a resident permit. They must not say that the child is a threat to the country, if you go to court they do not need to deny you again and again. Once the government will solve this things from the top, racial profiling will be solved”. (Nigeria)

The research findings show that the discrimination is often fuelled by various stereotypes widespread about ethnic minorities and migrants from Asian and African countries. These stereotypes and the lack of understanding of cultural diversity are also apparent in the rhetoric of the representatives of law enforcement agencies. According to the respondents of the present research, racial profiling is frequent in Georgia, and consequently, the trust towards the law enforcement system is low.

3. TRUST IN THE LAW ENFORCEMENT SYSTEM

There is a high level of distrust among the respondents towards law enforcement agencies. A significant proportion of the respondents believe that the indifferent attitude of police officers is the reason for mistrust towards them and the decision of solving the problems “independently of them, on their own.”

Trust is relatively low among the ethnic Azerbaijani and Armenian populations living in Kvemo Kartli and Samtskhe-Javakheti. Moreover, according to them, the local police are “in the hands of the State Security Service, which makes everything senseless.”

“People do not turn to the police lately because they feel it is pointless. There have been frequent reports of theft, but there has been no response.” (Ethnic Azerbaijani respondent, Kvemo Kartli)

“There was a case when there was a murder and they called the police, and the police came in half an hour, while at other times they patrol constantly, and one would meet them everywhere. Trust is less because they do nothing.” (Ethnic Armenian respondent, Samtskhe-Javakheti)

It is noteworthy that a large proportion of foreign/migrant respondents believe that for them living in Georgia was much safer 5-6 years ago.

“For me, I know the language and I do not get in trouble that often actually, but I think it was safer to go to the police five or six years ago than now.” (Iran)

Representatives of the law enforcement agencies have different opinion:

“In general, of all people I have contacted who are temporarily in Georgia, I can say that the vast majority consider Georgia a very safe country. This, in itself, is related to law enforcement agencies as well. Had it not been for their trust in these agencies, I think they would not have had a sense of security. They do not have the feeling that they can be discriminated against.” (Investigator)

According to law enforcement officials, uninvestigated cases may affect trust. According to them, despite the objective reasons that influence the investigation process of the case, the uninvestigated cases “raise many questions in the population, which in turn affects the trust.”

Respondents from both the minority groups and the law enforcement agencies agree that ethnic groups have a particularly high level of trust in police officers who belong to the same ethnic group.

“When the locals are employed, other locals have more trust.” (Ethnic Armenian respondent, Samtskhe-Javakheti)

“They probably prefer to talk to Armenians rather than Georgians. Perhaps this is a more natural instinct than trust. But when they realize that I have the same attitude as an Armenian would have, this problem is soon solved.” (Investigator)

“It is the same with us, we have a lot of Azerbaijani employees, and it is easy to get a job. On the contrary, it’s good, they help us communicate with Azerbaijanis. Of course, if I go abroad and encounter a problem, I’d rather meet someone from the same corner of the world as I am.” (Investigator)

Lawyers from the Free Legal Aid Service and NGOs also believe that beneficiaries rarely exercise their right to appeal. Beneficiaries themselves often refuse to take legal action against the system. The lawyer considers this fear and distrust logical because their cases are either constantly postponed or “put on the shelf”.

Lawyers, while assessing the trust issues towards the police, have a sceptical attitude. The majority of the respondents believe that ethnic minorities and migrants do not trust the police and other state institutions and can only turn to government structures in extreme cases.

4. POLICE AWARENESS AND SENSITIVITY TO CULTURAL DIVERSITY

The vast majority of respondents believe that, according to their experience, law enforcement agencies are less aware of the cultural characteristics of ethnic minorities or migrants from other countries, which in turn affects the quality of trust and legal proceedings.

“One of the things we do in our organization is that we advertise cultural awareness. It will help Georgian society. We know Georgian culture and they should know ours as well; I always try to improve my knowledge of culture, especially Georgian and other peoples’ as well. When you know culture, you will not make mistakes with them and will avoid many problems.” (Nigeria)

It is noteworthy that according to the representatives of the ethnic minority group, the law enforcement agencies’ representatives need to understand what is “tradition” and what is “law”. In their view, the balance is often so disturbed that what is illegal is perceived by police as a tradition or *vice versa*.

“It is very important, they think that early marriage is our tradition. When a police officer views crime as a tradition, how are we supposed to have trust in a quality investigation? They also believe that domestic violence is not a problem. They need such training to know that this is a crime and not a culture and a tradition.” (Ethnic Azerbaijani respondent, Kvemo Kartli)

“There was a case when a girl was abducted [bride kidnapping] and the police told her parents – so what, isn’t this your tradition? Even if we investigate, they will still end up together. – The police perceived this as a tradition and a trifle that is not worth even commencing an investigation.” (Ethnic Azerbaijani respondent, Kvemo Kartli)

Consequently, a significant part of the respondents believes that strengthening the representatives of the law enforcement bodies and deepening their knowledge in cultural diversity would positively impact the process. At the same time, there is a difference of opinion among the representatives of the law enforcers. Some of them believe that they need more information about the peculiarities and diversity of cultures, which would increase their sensitivity and help to manage the process much more efficiently.

“In general, the more you know, the easier it will be to communicate and work. Perhaps it would have been better to have training. There are diverse people in the police, and we do ask each other, but it is difficult to know all the cultures.” (Patrol Police)

On the flip side, some believe that studying cultural diversity issues requires considerable resources, time, and energy, and in this context, its importance may be overestimated.

*“The colleagues have mentioned and I disagree with them on one thing, **if we start studying the traditions of all countries, it will take so long that ... there are more important issues in the police.** As for the relationship, it depends on establishing communication with the person. We may not be able to communicate with our Azerbaijani neighbour, it depends on experience and communication skills, and I think we have all been trained for that.” (Investigator)*

A representative of the Ministry of Internal Affairs stated in the interview that knowledge of the cultural component is very important. Yet, it is insufficiently represented in training conducted for the Ministry of Internal Affairs personnel. Training on discrimination issues is conducted often; however, in these general, two-day training, cultural diversity issues may not be adequately integrated. Therefore, the representative of the Ministry emphasizes the need for more in-depth training.

“This 2-day training, which is supported by the Council of Europe, covers all types of hate crimes, definitions, local and international legislation, and unfortunately 2 days is not enough for all this. We cannot talk about cultural differences and characteristics, it needs a special trainer who will talk about these topics, but these topics cannot be covered in a two-day format.” (MIA, representative of the Human Rights Department)

Despite the scepticism of some law enforcement officers, the majority of the respondents agree that it would be better to have more knowledge about cultural diversity and peculiarities. However, none of the respondents had the experience of participating in such training.

5. HOW TO OVERCOME RACIAL PROFILING – RECOMMENDATIONS

Combating racial profiling is a long process and must be based on a sound, clear and enforceable legal framework. Research has shown that the problem is not yet the subject of legal or political discussions in Georgia. We believe that to overcome racial profiling, the state should develop a long-term plan, which includes enhancing the legislation, improving the professional skills of law enforcement officers, and communicating with the public based on mutual trust.

Considering the international experience and the results of the present research conducted by TDI, we consider it essential to work in the following areas to overcome the problem of racial profiling:

Acknowledgement of the problem

The process of overcoming racial profiling must begin with the acknowledgment of the problem by the state. The government should realize that there is a practice of discriminatory profiling based on religion, ethnicity, and culture, which reduces public confidence in the law enforcement system and state institutions in general.

Understanding racial profiling problem by lawyers, NGOs and human rights activists will also help raise public awareness and make appropriate decisions.

Development of legislation and regulations

Guidelines and regulations that clearly define and prohibit racial profiling by law enforcement officials and limiting their discretionary powers shall be developed and implemented. Among them:

- ▶ develop a definition of racial profiling in compliance with international standards;
- ▶ define detailed rules of ethics/conduct of law enforcement officials for each specific police measure, which will reduce the risks of racial profiling;
- ▶ develop these regulations and rules of conduct for all relevant areas of the law enforcement system, including the patrol police, investigators, border police, and others.

Data collection

We consider it necessary to collect statistical data, conduct periodic surveys and publish them. The data on police arrests, document checks, searches, border police data, etc., should be processed by both police and independent investigators.

The data should contain such information that will make it possible to analyse from the angle of racial profiling.

Monitoring

Regular, independent monitoring is needed in relevant areas of the law enforcement system to identify racial profiling cases.

Every case of racial profiling must be followed by an appropriate disciplinary and legal response.

It is important to regularly report to the public on the identified cases of racial profiling and the responses.

Police training

The police must undergo continuous training to be able to apply the gained knowledge to daily activities. We believe that during the teachings, it is necessary to focus on the problem of racial profiling. This topic can be part of the existing training or a separate special course where a practical learning component will be brought to the fore.

It is vital to increase the knowledge of police officers on cultural diversity issues to develop the skills to work ethically in a diverse environment.

Constant training of police officers so that they overcome stereotypical, biased, and prejudiced attitudes are important.

The full-fledged education on racial profiling and cultural diversity issues shall be introduced at the Police Academy under the Ministry of Internal Affairs.

Communication and engagement

To eliminate racial profiling and gain trust and respect, the police must involve interested groups in the policy-making process. There are many among the interested groups who do not know the state language. This forms the basis for their discrimination. We find it important to pay special attention to the language component and ensure police staff rotation in regions or districts, considering the language knowledge issues and the possibility of using non-state language in communication.

The present research has shown the urgency of the problem, yet there is no debate among the interested groups to find a solution. It is impossible to create an effective strategy for overcoming racial profiling without such a discussion. We hope this study will contribute to the public debate and encourage a broad discussion on the problem of racial profiling.

ANNEX: RESEARCH DESIGN AND METHODOLOGY

Research Goals and Objectives

The present Research aims to study the practice of racial profiling, especially in law enforcement systems of Georgia, based on the experience of ethnic minorities, migrants, law enforcement officials and lawyers. In addition, the Research examined the general attitudes of the respondents and their experiences related to discrimination, stereotypes, and negative attitudes in society towards ethnic minorities and migrants.

Accordingly, the following objectives were identified within the Research to achieve the goals:

- Defining and understanding racial discrimination and racial profiling;
- Racial profiling and the related prejudices;
- Studying the experience of discriminatory profiling in Georgia;
- Studying trust of ethnic minorities and migrants in the law enforcement systems;
- Studying the level of sensitivity in the police system towards the different cultures and the awareness of such cultures.

Research Methodology

This research uses the desk and qualitative research methodologies. The research data were collected from November 2020 to March 2021.

Desk Research Data Collection

In the desk research, we studied the experience of the USA, Canada, and the EU countries. We found similar studies conducted by the Fundamental Rights Agency (FRA) and the European Commission against Racism and Intolerance (ECRI). We got acquainted with the police action plans of different countries and the decisions of the European Court of Human Rights and the UN Human Rights Committee. This information has helped us to develop a qualitative research tool, to analyze specific mechanisms of racial profiling and to make preliminary recommendations.

Qualitative research

Qualitative research enables in-depth processing and analysis of information obtained from desk research. In addition, especially when there is no research on the issue in Georgia, and the information is limited, the data collected using the qualitative method provides an opportunity to prepare a detailed review analysis of the objectives identified within the Research, which then reveals the need for additional research.

Research techniques and tools

The Research used the techniques for studying international experience, normative base analysis, in-depth interviews and focus groups. A discussion plan consisting of open-ended questions was defined as a qualitative research tool.

Selection and the Research target groups

We applied a targeted selection method. The respondents were selected based on their ethnicity and country of origin, not based on their own discriminatory experiences. During the data collection phase, 21 in-depth interviews and seven focus groups were conducted using a discussion plan consisting mainly of open-ended questions.

Based on the Research objectives, the following target groups were selected:

- Migrants from African countries (Nigeria, Somalia) living in Georgia;
- Migrants from Asian countries (Iran, Bangladesh, India) living in Georgia;
- Ethnic Azerbaijani citizens living in Kvemo Kartli region;
- Ethnic Armenian citizens living in Samtskhe-Javakheti region;
- Police officers and investigators from Tbilisi and the regions;
- Lawyers from NGOs, free legal aid service and independent lawyers.

The table below visualizes the distribution of the interviews conducted within the Research by target group:



A total of 28 men and 12 women from ethnic minority and migrant groups participated in the Research; 9 women and 6 men participated from the Ministry of Internal Affairs; of interviewed lawyers 5 were women and 4 were men.

In order to analyze the policy against racial profiling and discrimination, an additional in-depth interview was conducted with the representative of the Human Rights Protection and Investigation Quality Monitoring Department of the Ministry of Internal Affairs of Georgia.

Qualitative research data collection

Due to the specifics of the qualitative research, the questions provided an opportunity to explore, and the researcher could get more information about the experiences, perceptions, or attitudes of the respondents. Respondents had the opportunity to substantiate their opinions in detail.

The duration of the interviews ranged from 1 hour to 1.5 hours. The time of the interview was agreed upon in advance. Because of the regulations imposed due to the COVID 19 pandemic, the interviews were conducted online, using the Zoom platform.

For preparing detailed transcripts, audio recordings of the interviews were made in agreement with the respondents. The data in the transcripts is de-identifiable, which ensures the protection of the respondents' privacy.

Additionally, three students from Ilia State University School of Law were involved during the data collection phase. They conducted nine in-depth interviews with the lawyers.

Qualitative research data analysis

Transcripts made based on audio recordings of interviews were analysed through thematic analysis, using NVivo 12, a program specifically designed for qualitative research. The program makes it possible to process data using a variety of coding methods and minimize researcher subjectivity. At the initial stage of data analysis, key topics were identified that were relevant to the research objectives. A group of researchers selected the main topics, and at a later stage, the defined topics were coded into categories. In addition, the coded qualitative information was analysed through the selection criteria of the respondents.

Ethical norms of the Research

Data confidentiality is especially important when conducting qualitative research. The researchers explained to the respondents in advance that their anonymity was protected and participation in the interview was voluntary. Also, the researchers agreed at the initial stage with the respondents to make an audio recording of the interview.

In order to fully comply with ethical norms, the researchers discussed in detail with the respondents: a) the goal and objectives of the research; b) rights of the research participants and data protection; c) data confidentiality; d) the voluntary nature of their participation in the Research.

Research limitations

The main limitation of the Research is related to the number of respondents. The results of the qualitative research are not representative and its generalization cannot be extended to all migrants and ethnic minorities living in Georgia. However, the information obtained from qualitative research is comprehensive, provides valuable insights about attitudes and perceptions towards racial profiling and discrimination, and explains the root causes of these attitudes.

It may also be considered the research limitation that the data was collected through online meetings since it condenses the discussions on sensitive topics and gives less opportunity to use the projection techniques

typical for qualitative research methodology. However, the information obtained as a result of the research provides sufficient qualitative data that makes it possible to process, analyse and evaluate the information.

In the frames of the presented research, it was planned to conduct interviews and focus groups with the Roma community in Georgia, as they represent one of the most vulnerable and discriminated minority groups. Unfortunately, due to the COVID-19 pandemic-related circumstances and the impediments to meeting the Roma community members face-to-face, we could not hold a sufficient number of interviews and obtain the relevant data for further generalization. Subsequently, TDI plans to conduct the research assessing the needs of the Roma community in Georgia and the stereotypical public attitudes towards them.