

Article

Repatriation of Muslim Georgians: Mission Accomplished?

Anna Dolidze 

Science in Policing and Security Program, Rabdan Academy, Abu Dhabi 22401, United Arab Emirates; adolidze@ra.ac.ae

Abstract: This article focuses on the repatriation process for Muslim Meskhetians deported from Soviet Georgia. It describes the repatriation process initiated after the collapse of the communist regime, showcasing the links between these efforts and Georgia's request for membership in the Council of Europe in 1996. The article finds that the Georgian government had a superficial approach to repatriation, and several factors hindered repatriation, including the difficulty in disseminating the information related to the application requirements, which were not made accessible in the languages in which the applicants were fluent. Moreover, as Georgia allowed dual citizenship only in exceptional circumstances, the applicants had to renounce their original citizenship to be allowed to seek citizenship in Georgia. Some of them were hesitant to do so, a position that represented an obstacle to application. The most significant impediment was the lack of objectively defined criteria for repatriation success. Without detailed criteria as to what amounted to proper repatriation, the degree of the success of the process is hard to assess. The international community has departed from approaching repatriation as a formal return process. The concept has assumed a "thicker" meaning of allowing returned individuals to resume their lives in the fullest sense, including assuming citizenship, return property etc. The case study shows that the Georgian case of repatriation has been formalistic. Full and seamless reinstatement of the deported people in their lives did not take place.

Keywords: Muslim; Meskhetians; Soviet Union; Georgia; repatriation



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1. Introduction

The breakdown of the Soviet Union gave impetus to a new wave of studies in relation to both the Soviet Union and its legacy for the successor republics. However, studies linking religion to human rights have remained scarce. Most scholars have examined religion as a source of conflict and a reason for human rights infringements. This article explores a topic that has received little scholarly attention to date: the question of repatriation of the Muslim Georgians deported in the 1940s from the Soviet Republic of Georgia. In doing so, the article shows that a group defined along religious lines had its human rights violated by a repressive regime. This article critically reassesses the repatriation process for Muslim Meskhetians and offers insights from the case study. As such, the present article contributes both to the literature on religion and human rights, as well as to the literature on repatriation.

Towards the end of World War II, more precisely in November 1944, the Stalinist regime of the Soviet Union carried out the deportation of around 100,000 Muslims from the Georgian region of Meskheta to remote republics of Central Asia (Trier et al. 2011; Pentikäinen and Trier 2004; Tournon 2009). They were accused of traitors to the Soviet nation and collaborating with an unspecified enemy (Trier et al. 2011). The deported Muslims were subject to exile, remained on probation even after the deportation took place, and their children were punished for the perceived actions of their ancestors (Pentikäinen and Trier 2004). The families left their property behind. The case revolves around a horrendous human rights violation perpetrated against a group defined along religious lines.

One of the issues confronting the displaced population is the decision to return home as the opportunity arises (Czaika 2009). They are constantly caught up between the "double

solutions”, i.e., to return home or to integrate and settle in the host country (Chimni 1991). Voluntary repatriation is “[...] two things, the refugees returns home willfully in a safe and dignified manner, and the relationship between citizen and homeland is reestablished” (Iduma and Musa 2019). Repatriation has been consistently understood as the physical return of the refugees to their country of origin, although lately the emphasis on the physical return has been criticized (Long 2009). Lately, the concept of repatriation assumed a thicker meaning. Repatriation has come to be understood as the reinstatement of the displaced person in their fundamental rights (Long 2010). Scholarship has emphasized, among others, actual and not just the formal resumption of residence, i.e., the idea of “making home” gained traction (Warner 1994). For the return home to be effective, it should be more than just a physical return to the earlier geographic location (Gerver 2022). It must include allowing citizenship rights and giving access to the homes they have lost, property restitution or engaging in other redistribution mechanisms that facilitate a better future for the returnees (Bradley 2013).

This article focuses on the challenges of repatriation of deported Meskhetians. It describes the repatriation process initiated after the collapse of the Soviet communist regime, showcasing the links between the efforts for repatriation and Georgia’s request for membership in the Council of Europe in 1996. The Georgian government was prompted to facilitate the return of the displaced people to the Republic by adopting relevant legislation as a condition for the country’s acceptance in the Council of Europe. The article critically assesses these efforts, evaluating their success and shortcomings. The key issue in relation to the repatriation process was its formal character. Georgia seemed to strive to fulfill one of the conditions before the Council of Europe. It approached the issue of repatriation from the formal perspective, i.e., passing legislation that allowed the return of the deportees instead of facilitating their easy return and full reinstatement of their rights. Many problems related to the actual return of the deported population attest to this. Several factors hindered effective repatriation, including the difficulty in disseminating the information related to the application requirements, which were not made accessible in the languages in which the applicants were fluent. As Georgia allowed for dual citizenship, the applicants had to renounce the citizenship of their country of residence to be allowed to seek full restitution of their rights. Some of them were hesitant to do so, a position that represented an obstacle to application. The most significant impediment was the lack of objectively defined criteria for repatriation. The Council of Europe broadly outlined Georgia’s obligation to do justice to the displaced people, but the specifics were scarce since there was no verifiable data on the number of people who were deported and then were willing and capable of relocating.

This article contributes to scholarship in several ways. First, it enriches the scholarship on human rights and religion by providing the first English language scholarly assessment of repatriation and restitution, benefiting an understudied religious minority, and enriching the literature on human rights and religion with insights from this particular case. It explains how religion became one of the essential factors that delineated a specific minority targeted for deportation since the instability of borders and the frailty of the states involved transformed religion into the main and the most stable identifying marker of the targeted population as well as the main source of its distrust and suspicion towards the Georgian state. Second, this article contributes to comparative studies on repatriation and return by providing new insights into approaches required for successful repatriation. Last, the article provides a rich regional perspective, offering insights into the movement of religious minorities in Eurasia and a closer look into Soviet demographic policies and post-Soviet redress policies that sought to remedy the infringements that occurred.

Section 1 of the article provides the background of the case, highlighting the specifics of the deportation, explaining the relevant political context, and narrating the details of the deportation. Section 2 offers a chronological narrative of post-communist restitution efforts, examines the state institutions that took charge of the process, and explains the legal framework and the challenges faced by restitution. Section 3 assesses the restitution efforts, evaluates their pluses and minuses, and highlights the impact of international

conditionality on these reform efforts. Finally, the article summarizes the findings and offers insights for future research.

2. Deportation of Muslim Meskhetians and Repatriation

2.1. Background of Deportations and Reasons for Repression

Georgia is ethnically and religiously diverse (Macfarlane 1997). Although Christianity is the dominant religion and the only religion emphasized in the Constitution (Parliament of the Republic of Georgia 1995), Islam has a deep historical presence in the country. The early Georgian kingdom of Kartli-Iberia converted to Christianity in the 4th century under Roman influence, and this early Christian period should be considered foundational for the Caucasus states in general (Suny 1994). The adoption of Christianity had important political consequences for Georgian kings, both internally and externally (Suny 1994). Broadly speaking, the Caucasus region was a point of contestation between the Byzantine and the Iranian empires, and Christianity was an essential factor in this contestation. Islam entered the socio-political life of Georgia in the 7th century, as Iran was not long able to withstand Arab conquest (Suny 1994). The Muslim population increased in the South Western Georgian region of Meskheta due to the increased strength and influence of the Ottoman Empire (Sanikidze and Walker 2004). Even the ruling family of Jakeli adopted Islam to maintain ties with the Empire and retain influence over Georgian lands (Sanikidze and Walker 2004). The specific background of the Meskhetian Muslim population remains contested due to the complicated nature of the Soviet nationalities and demographic policies (Pentikäinen and Trier 2004). While some scholars believe they are ethnic Georgians who converted to Islam, others argue that they are descendants of Turkic tribes that settled in the region centuries ago (Tournon 2009). Various labels have been used to refer to this group throughout history (Pentikäinen and Trier 2004). The issue of terminology is politically and emotionally charged (Baratashvili 1997). A census by the imperial Russian authorities in 1897 recorded that the region's population comprised Turks, Armenians, Christian Georgians, Russians, and Kurds (Trier et al. 2011). However, notably, as the religion often denoted national identity, those Georgians who adopted Islam were generally referred to as "Turks," (Gachechiladze 1995, p. 92) and conversely, being "Georgian" meant being Christian (Karam 1998, p. 9). Moreover, ignoring ethnic differences, the Soviet regime generally referred to all Muslims as Azeris, regardless of ethnicity (Sanikidze and Walker 2004). Minority Rights International, for instance, notes that while the Meskheta population was Sunni Muslim, some were ethnic Turks, while others were Turkified Georgians (Minority Rights Group International 2020). Those deported from Georgia during the 1940s were mostly Muslim and were sometimes called "Turks" and other times "Georgian Sunnis," "Ottomans", or "Azerbaijanis" (Pentikäinen and Trier 2004, p. 9). Another source notes that the deported population was reclassified on the day of deportation from Azerbaijanis to Turks and that only in exile the group had come together in a Turkic movement (Enders Wimbush and Wixman 1975). Thus, as the ethnicity of the deported population has been difficult to ascertain, its religious affiliation has been used as the main organizing category by the Imperial and Soviet administration and, subsequently, scholarship.

The deportation of the Muslim population of Meskheta was motivated by a combination of factors. The Soviet leadership was suspicious of them and saw them as potential allies with enemies (Achba 2011). Cultural, historical and language links with the populations of enemy countries represented a risk and vulnerability for the Soviet Union engaged in the war effort. The deportation was part and parcel of a wider Soviet policy of ethnic cleansing of certain territories. It is estimated that around 13 nationalities and 2 million people were forcibly moved, and as many as 264,086 deaths occurred during the deportation process (Pohl 2000). These deportations, which intensified during World War II, were primarily based on the suspicions that the targeted populations might cooperate or display loyalty to the enemy. The enemy in each case differed: the Eastern Europeans were suspected of potential loyalty and collaboration with the Germans, the Koreans were a

threat to potential cooperation with the Japanese in the East, and the Muslims in the South could display allegiance to the Turks (Tolz 1993; Pohl 1999).

The Meskhetian Muslims were relocated to Central Asia and were deprived of the right to return. An order signed by Soviet dictator Joseph Stalin officially aimed at improving “the situation on the borders of the [Soviet] Georgia” (IDFI 2020). Ordinance 6279cc of 31 July 1944 ordered the deportation of the Muslim population from the regions of Adigeni, Akhaltsikhe, Aspindza, Akhalkalaki, and (IDFI 2020). According to it, among those to be deported were residents of 200 villages in southern Georgia, totaling 86,000 people, as well as 41,000 military members who had fought in World War II. On 15 November 1944, the People’s Commissariat for Internal Affairs implemented the said order with Decree 001176, which provided specific measures for the forced resettlement of several ethnic and religious groups, including “Turks, Kurds, and Hemshins (Muslim Armenians) living in the Georgian Soviet Socialist Republic” (IDFI 2020).

Deportees were exiled to Central Asia (in the Soviet republics of Uzbekistan, Kazakhstan, and Kyrgyzstan), but they were not provided with basic arrangements there (Trier et al. 2011; Tournon 2009). The living conditions were poor, and the local authorities could not cope with the many deportees. It is unsurprising that the deportees suffered from hunger, cold weather, and a host of epidemics. The Soviet government’s manipulation of official figures and dehumanization of the deportees worsened the situation and hid the true suffering faced by this group. Additionally, families were separated, their culture and historical memory were erased, and they were treated as second-class citizens not allowed to return to their homes.

Besides Central Asia, the Meskhetian Turks were deported to and dispersed in various other republics of the Soviet Union, including Russia, Azerbaijan, Georgia, Turkey, and even the United States.

After Stalin died in 1953, certain groups of deported people were freed (Trier et al. 2011; Tournon 2009). During the 1950s, Soviet leader Nikita Khrushchev began to allow some of these groups to return to their “homelands”, but the Meskhetian Muslims were not included among the lucky ones (Trier et al. 2011; Tournon 2009). However, a decree signed on 31 October 1957 by the Presidium of the Supreme Soviet of the Soviet Union gave this religious minority the right to move to the Caucasian Republic of Azerbaijan and acquire citizenship. As a result, as many as 40,000 formerly deported people chose to move to Soviet Azerbaijan. This country was culturally similar to their Muslim identity and geographically close to their former Georgian homeland. Nevertheless, the decision to settle in Azerbaijan divided the exiles (Tournon 2009). Some considered themselves to be ethnically Turks and therefore accepted integration into Azerbaijan, but others saw themselves as Georgian “Meskhs” who sought to return to Soviet Georgia but were refused repatriation. During the late 1980s, some Meskhetian Turks started to return to Georgia from Uzbekistan, but they faced difficulties and discrimination from locals (Narimanishvili 2017a).

Few of them could return to Georgia under the Soviet regime or after the collapse of the Soviet Union in 1991; others settled in Azerbaijan or the North Caucasus (Parliamentary Assembly of the Council of Europe 2005; Trier et al. 2011). Those who remained in Central Asia faced violence and persecution, including in Uzbekistan in 1989 (Parliamentary Assembly of the Council of Europe 2005; Trier et al. 2011; Narimanishvili 2017a) and in Kyrgyzstan in 2010 (Trier et al. 2011). The situation of several thousand Meskhetian Turks who continue to reside in the Krasnodar region of the Russian Federation remains precarious since many of them reportedly struggle to access Russian documentation and face xenophobia and ethnically-motivated violence (Minority Rights Group International 2020).

The recognition of the devastating effects of the deportations started under Soviet leader Mikhail Gorbachev during his perestroika. On 14 November 1989, the Supreme Soviet of the Soviet Union passed a declaration titled “On Recognizing the Illegal and Criminal Repressive Acts against Peoples Subjected to Forcible Resettlement and Ensuring their Rights.” This resolution recognized 11 of the 13 national groups deported by Stalin as “Repressed Peoples” (Alieva 1993, p. 257). Later, a law adopted under President Boris

Yeltsin by the Russian Duma on 26 April 1991 acknowledged the deportations and exile of the “Repressed Peoples” (Alieva 1993, p. 257) and therefore gave symbolic satisfaction to the former victims.

2.2. Repatriation Efforts in Georgia

In Georgia, the progress of the Meskhetian repatriation was linked to the Republic’s goal of joining the Council of Europe, which provided a chance to resolve the issue of repatriating the Meskhetian Turks (Trier et al. 2011; Pentikäinen and Trier 2004). On 14 July 1996, Georgia submitted a request to join the Council of Europe (Pentikäinen and Trier 2004). On 11 September that same year, the Georgian Committee of Ministers passed Resolution (96) 33, which requested the Parliamentary Assembly to comment on Georgia’s application in accordance with Statutory Resolution 51 (30A). The Parliamentary Assembly expected Georgia to sign and ratify various conventions related to human rights, including the European Convention on Human Rights (ECHR) and its protocols, the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, the Framework Convention for the Protection of National Minorities, and the European Charter for Regional or Minority Languages. Georgia was required to create the legal framework for the Meskhetians to return and integrate into Georgian society with full citizenship (Pentikäinen and Trier 2004; Trier et al. 2011). To comply with these requirements, within two years, the government had to adopt a law that would allow the repatriation to start within three years after the adoption and complete the program within twelve years (Parliamentary Assembly of the Council of Europe 1999). Interestingly, a conference organized in May 1996 by the Commonwealth of Independent States (CIS), an association of 11 states formed after the dissolution of the Soviet Union (Britannica 2023), addressed the issue of involuntarily displaced people, refugees, and returnees in the CIS territories (Trier et al. 2011; Pentikäinen and Trier 2004). At the time, Georgia was a member state of the CIS, which it joined in 1993 (Chazan 1993). The conference recognized the right of the formerly deported peoples to voluntary return, which also included the right to transit travel, transportation of property, and assistance in integrating in their historical homeland. While this recognition brought about few concrete results, it was the first step towards international involvement in redressing the human rights violations perpetrated during Soviet times (Pentikäinen and Trier 2004). In 1998, reports from international organizations such as the International Organization for Migration (IOM), the Human Rights Watch, and the Federal Union of European Nationalities (FUEN n.d.) brought wider international attention to the issue. In Georgia, the situation of the Meskhetians began to improve once Eduard Shevardnadze was elected president in 1992 (Trier et al. 2011). Shevardnadze was not supportive of repatriation, but Georgia’s efforts to become part of the international community brought attention to the situation of the Meskhetians and therefore forced him to take action (Trier et al. 2011).

In 1998, a meeting was held in The Hague to discuss issues related to the Meskhetian Turks (Trier et al. 2011; Pentikäinen and Trier 2004). The meeting was hosted by the High Commissioner on National Minorities of the Organization for Security and Cooperation in Europe (OSCE), Max van der Stoep. It was attended by representatives of the governments of Russia, Azerbaijan, and Georgia and representatives of the Meskhetian Turks. The two organizations representing the displaced populations hail from different backgrounds. “Vatan” (“homeland” in Turkish) and Khsna (“Salvation” in Georgian) advocated for different approaches, enjoyed support from different governments and possessed a contested degree of legitimacy among the deported populations (Pentikäinen and Trier 2004). The term “Meskhetian Turks” was used in the meeting’s final document to identify the group as an ethnic minority. However, the term “Meskhetians” is commonly used in Georgia, pointing to the group’s identification along territorial lines as inhabitants of the Meskheti region. The meeting aimed at identifying and discussing the main problems facing the Meskhetian Turks, focusing on political rehabilitation, reducing statelessness, protecting human rights, and promoting ethnic tolerance.

In March 1999, another meeting held in Vienna was hosted by the OSCE, the United Nations High Commissioner for Refugees (UNHCR) and the Forced Migration Projects of the Open Society Institute (FMP OSI) and was attended by government representatives from Turkey, Ukraine, and the United States, as well as representatives of the Council of Europe and the International Organization for Migration (Trier et al. 2011). The meeting discussed the rehabilitation and repatriation of the Meskhetian Turks but was sidetracked by arguments over terminology (Tournon 2009). The Russian representatives ruled out the integration of the Meskhetian Turks in Russia and insisted that their only goal was repatriating this group to Georgia (Pentikäinen and Trier 2004; Trier et al. 2011). Meanwhile, the Georgian representatives promised to set up a State Commission on the Repatriation and Rehabilitation of the Population Deported from Southern Georgia and to resolve the citizenship issues for the returning individuals by the end of that year (Pentikäinen and Trier 2004).

The Georgian commission, which was formed on 14 March 1999, had to prepare legislation that would facilitate the repatriation of the deported Meskhetians (Tournon 2009; OCHA 1999). Presidential Decree 104 created the Commission and acknowledged that the solution “is a matter of state importance for independent and democratic Georgia” (OCHA 1999). On 15 April 1999, the commissioners agreed to form nine working groups to address different aspects of the repatriation process, such as legal framework, social welfare and adaptation working groups.

In the end, two draft laws were proposed, one by the Georgian Repatriation Service and other organizations and the other by the Georgian Young Lawyers’ Association (GYLA) with support from the Ministry of Internally Displaced Persons (Trier et al. 2011; Pentikäinen and Trier 2004). The latter was chosen after being debated by the National Security Council and the Parliamentary Committee on Civic Integration (Trier et al. 2011; Pentikäinen and Trier 2004). Following a March 2001 meeting in Strasbourg between Georgian delegates and legal experts from the Council of Europe, the draft law was submitted to the Ministry of Justice in Tbilisi (Pentikäinen and Trier 2004). However, repatriating a community of roughly 425,000 people was deemed unacceptable by post-communist Georgia. There were several issues. First, the social and economic issues at the time were considered impediments. Given its socio-economic difficulties, the country was not prepared to receive a large number of newcomers and to provide them with a satisfactory standard of living (Trier et al. 2011; Nodia 2002). Second, there were fears of potential conflict in the territories where the repatriates were to settle. As the resident population was already diverse, an influx of large, religiously, and ethnically diverse people from different countries with cultural and language backgrounds could escalate tensions (Sanikidze and Walker 2004). Third, lack of support for repatriation among politicians was an additional problem since the repatriation process was supported by no organized political group (Nodia 2002).

After 2001, Georgia’s efforts to fulfill its obligations to the Council of Europe regarding the repatriation of Meskhetian Turks were hindered by political and social factors (Trier et al. 2011) such as a struggling economy, fears of ethnic tensions and separatism, and the presence of a large number of internally displaced persons and refugees, including 9000 Chechen refugees, living on its territory. Despite initiating the repatriation process and the ensuing discussions, the draft law was never passed by the Georgian Parliament, and the issue was neglected by the government. The Council of Europe lacked the incentives to motivate the Georgian government to take further action and, as such, the issue (Trier et al. 2011).

After the Rose Revolution of November 2003, a new pro-European and reform-focused political elite came to power in Georgia under the leadership of President Mikheil Saakashvili. This change moved the relationship between Georgia and the Council of Europe to a new level. The newly elected government initiated a multi-pronged transitional justice process seeking to redress human rights violations committed both by the junta installed after the *coup d-etat* in 1991 and by the government of President Eduard Shevardnadze during 1991–2004. As part of this larger process, the new leaders focused

on reconciliation with the supporters of President Zviad Gamsakhurdia, ousted in 1991, and compensations for those persecuted (Peuch 2004). The transitional justice program further included repatriation benefiting the Muslim Georgians deported during the 1940s, as well as lustration and decommunization targeting perpetrators associated with the Soviet occupation of Georgia (Frichova 2009; IDFI 2016).

In 2004 and 2005, Georgia came under increased pressure from the Council of Europe to continue progress on the issue of repatriation (Blacklock 2005). In January 2005, the Parliamentary Assembly of the Council of Europe (PACE) passed Resolution 1415 after consulting with the Georgian government. This resolution set new deadlines for the country's unfulfilled commitments and obligations, including the obligation to create the necessary legal and administrative conditions for the repatriation of Meskhetians by 2011. Also, in 2005, Resolution 1428 addressed the situation of deported Meskhetians specifically, while Resolutions 1477 and 1603 encouraged the Georgian government to accelerate the repatriation process and seek international assistance to fulfill its goals.

In November 2004, Georgia established a State Commission to facilitate the Meskhetian repatriation (Trier et al. 2011). In June 2005, an interagency expert working group was formed to draft a new repatriation law, which underwent three rounds of consultations with Council of Europe experts. However, the process was interrupted in July 2006 with the replacement of the government officials in charge of moving this process forward. In the spring of 2007, a new draft law was presented to the Georgian Parliament without prior consultation with the Council of Europe, sparking public attention and fueling bitter parliamentary debates. Despite being criticized by the opposition, the Law on the Repatriation of Persons Involuntarily Displaced by the Former USSR from the Soviet Socialist Republic of Georgia was adopted on 11 July 2007 (Parliament of Georgia 2007a).

The law aimed at “restoring historical justice” by allowing the return of people displaced from the Georgian Soviet Republic in the 1940s and their descendants. The law established eligibility criteria for those who could apply to acquire the status of a repatriate, outlined the application process, which required the submission of several documents, and specified the procedures for reviewing applications, granting the status of a repatriate, and suspending or terminating the status, if necessary. The law's complexity rested in the various procedures and requirements it outlined for acquiring the status of a repatriate. Applicants were asked to submit several documents, including proof of involuntary displacement, citizenship, birth certificate, and documents detailing their marital status. The application process had a firm deadline, and failure to provide the required documents had to be thoroughly explained in a written statement (Article 4). The applicant was allowed four months to complete and submit the application. The review process involved various agencies examining the application to determine whether it was reasonable to grant the status of a repatriate (Article 6).

To implement the law, the government of Georgia was required to adopt an ordinance on simplified procedures for granting citizenship to repatriates and to specify which documents containing information on financial, property and health status were required (Article 11). On 30 March 2010, the government adopted Decree 87 on the procedure for granting citizenship to those repatriated. The decree aimed at avoiding placing those repatriated into statelessness. In 2011, the Government Coordination Council was set up to facilitate the exchange of information among various ministries and to facilitate their collaboration (Tabula 2014).

The process outlined by the law was too restrictive and complicated to allow just repatriation (Trier et al. 2011; Achba 2011). Many Meskhetians found the application requirements difficult to meet during the four months specified by the law and complained that translation and notarization costs were significant. The low number of applications is explained by financial barriers, lack of information, and limited support from the Georgian authorities. The initial deadline for submitting applications was set on 1 January 2009, then postponed twice, and finally set for 1 January 2010 (Tabula 2014). In total, 5841 families submitted applications for repatriation to Georgia by the deadline (Trier et al. 2011; Office

of the State Minister of Georgia for Reconciliation and Civic Equality n.d.). Ultimately, only 1174 persons received the status of repatriates, while 311 other persons received the status after the change of government in 2012. However, by then, some Meskhetians from Azerbaijan had already resettled in Georgia on their own, primarily in the Akhaltsikhe and Adigeni districts, without the help of the authorities and outside of the procedures provided by the law. Government officials have been concerned that tension with the local communities might ensue due to the influx of repatriates to this region and thus have considered incentives to convince repatriates to settle in other regions (Achba 2011).

Even after the law's adoption, many Meskhetians continue to have no repatriate status and no Georgian citizenship, making it difficult to access public healthcare and other social and economic benefits (Narimanishvili 2017a). Many families purchased houses with their own money but earned a modest living in agriculture, which kept them poor. Many other families have returned on their own and have successfully reintegrated into the local communities, having acquired fluent command of the Georgian language (Blacklock 2005; FUEN n.d.). However, the Georgian government should provide Meskhetians with decent living conditions and citizenship.

On 1 October 2012, the newly formed opposition coalition Georgian Dream (GD) won the majority of seats in Parliament, and its leader Bidzina Ivanishvili became the Prime Minister. President Saakashvili, the United National Movement (UNM) leader elected in 2004, conceded defeat. The ministers offered their resignation (Barry 2012). The GD formed a new cabinet, while President Saakashvili remained in office until new presidential elections were organized in October 2013. Unfortunately, the Special Commission was dissolved since the government considered repatriation completed, although only a fraction of the former deportees had relocated to Georgia. By 2012, the repatriation of the Muslim Meskhetians was no longer on the public agenda in Georgia or on the agenda of the Council of Europe (Social Justice Center 2021). The outcome of the repatriation process remains contested. Some stakeholders have alleged that the processes were incomplete and unsuccessful (FUEN n.d.). The number of repatriated persons has remained small because of language barriers, incomplete information dissemination and even lack access to information faced by those willing to apply, despite claims to the contrary made by the State Commission (Trier et al. 2011; Netgazeti 2012). Furthermore, applicants with dual citizenship continue to face a difficult choice (Social Justice Center 2021). Georgian legislation allows for dual citizenship only for significant contributions to the state's interests or other exceptional circumstances. Although the repatriates were given the faster track of receiving Georgian citizenship, they were required to give up other citizenships they might have, including the country's citizenship from where they relocated to Georgia (President of Georgia. Regarding the Approval of the Regulation on Consideration and Resolution of Georgian Citizenship Issues, 10/06/2014). This was a hard choice for many of them due to their extensive links with their country of origin and their continued ability to receive social benefits in that country (Social Justice Center 2021). Some politicians in the Council of Europe also alleged that the bureaucratic procedures imposed by Georgia made the repatriation difficult and that the process focused on providing the "legal repatriate status to the applicants" rather than the actual repatriation (Parliamentary Assembly of the Council of Europe 2015).

The situation for repatriated Meskhetians is complex and varies depending on individual circumstances. While some have been able to return to Georgia and rebuild their lives, others continue to face challenges and discrimination. For those who have returned to Georgia, the process has often been difficult. Many have faced challenges finding housing and employment, and some have reported discrimination and hostility from the wider population.

Alikhan Kuradze and Seifat Dursunov were among the first to return to their homeland and faced hostility from locals (Narimanishvili 2017b). They both spent years living in various countries before returning to Georgia. Alikhan was one of the first to return, but he faced rejection from locals and was forced to live in a tent with his family. However, he

persisted in his efforts and eventually returned to his homeland in 2011 ([Narimanishvili 2017b](#)). Seifat made multiple attempts to return and eventually settled in Georgia with his family. Both families faced financial and social difficulties, but they were supported by their scattered children. Despite the changing attitudes towards them over time, they still feel like outsiders in their homeland ([Narimanishvili 2017b](#)).

Osman Mekhriev is a Meskhetian Turk who was deported from Georgia in 1944 and settled in Uzbekistan ([Ugulava 2011](#)). In 1989, he returned to Georgia as part of a repatriation program but faced discrimination and difficulties integrating into society. Despite this, he persevered and managed to build a new life for himself and his family in the village of Abastumani ([Ugulava 2011](#)).

3. Discussion

It is difficult to assess the success of these attempts to redress past human rights violations perpetrated against a religious minority since no benchmarks were set at the program's outset. The reports issued by various stakeholders are conflicting, yet there are no objective indicators to assess the success or the failure of the restitution process. The difficulty lies in the fact that there were no objective criteria set at the very outset of the process, thus allowing each party to claim whatever fits their interest.

The initial condition raised by the Council of Europe provided for only a broad outline of a legal obligation on the part of Georgia to adopt the relevant legal framework and to complete the repatriation process, but it missed important details such as the number of persons to be repatriated and the volume of property restitution to be undertaken. Several factors explain this situation. First, the number of deported persons was unknown, mainly because various sources have proposed vastly different numbers. The Soviet authoritarian policies did not allow access to relevant information and research on the number of resettled persons. The archival materials obtained after the fall of the Soviet Union diverge on the issue of numbers as well ([Tournon 2009](#)).

Second, predicting what percentage of the total deported population would be willing and capable of repatriation was difficult. While some sources indicate that the number of those who repatriated is too low compared to the total number of former deportees, the Georgian government refutes this claim and argues that the number of those who returned is significant given the difficulty of providing social and economic support to them.

Third, Georgia's original pledge focused on adopting relevant legislation on repatriation, ignoring its implementation and accessibility. The application process was drafted in Georgian and English, two languages the applicants did not know. Many could not access the application forms and the official procedures. International conditionality might explain the accessibility problems. As legal changes are tabled in response to the country's international obligation, the target audience of reforms and the questions of accessibility of information are comparatively less relevant. Equally important is the fact that a serious restriction was raised by dual citizenship. The objectives of repatriation did not align fully with citizenship laws. Some important amendments to the citizenship law were adopted on 6 February 2004, providing an exception to the earlier prohibition on dual nationality. A person can be a citizen of Georgia and another country if the President of Georgia grants citizenship to a foreign citizen with special merits or if granting Georgian citizenship supports the national interest ([Parliament of Georgia 1993](#)). In 2007, the Parliament added another ground for receiving citizenship: individuals could become citizens as repatriates ([Parliament of Georgia 2007b](#)). In the case of the repatriates, the regular conditions for acquiring citizenship, such as knowledge of the official language and history of the country, do not apply. This applies to individuals forcefully expelled from the Georgian Soviet Republic in the 1940s, the Muslim or Turk Meskhetians (Law on Repatriation, Art. 1). However, even in their case, dual citizenship remained exceptional. Therefore, repatriates who wish to obtain Georgian nationality must renounce their original citizenship.

4. Conclusions

Examinations of the human rights of religious minorities persecuted in the former Soviet Union have often been dominated by scholarly writings centered on conflict. However, this article focuses on a partially successful case in exercising human rights: the repatriation to Georgia of the Muslim Meskhetians, who suffered deportation and ill-treatment during the 1940s at the hands of the Soviet regime. In connection to its application for membership in the Council of Europe, post-communist Georgia vowed to allow repatriation. Indeed, a series of reforms were adopted afterwards. As a result, hundreds of families have been recognized as repatriates and have successfully moved back to their homeland, gaining their property. As a result, the issue slowly disappeared from the public agenda. However, although some families applied for and obtained repatriation, the total numbers remain small due to several shortcomings outlined in the previous section. Because specific benchmarks for repatriation were not set, adopting the relevant legal framework and not the actual implementation of the repatriation obligation has been regarded as sufficient to discontinue the repatriation effort and to regard the reforms as sufficiently successful.

Moreover, the lack of organization means that some individual Muslim Meskhetians have successfully acquired the repatriate status, but the religious minority as a community remains divided across several countries. Repatriation might gain new impetus if they are pursued in an organized fashion by this group and relate not only to the right to return individually and the right to regain former lost individual property but also the right to regain their places of worship and cultural establishments that would bring this religious minority together. As the Georgian case of repatriation of Meskhetian Muslims shows, the process carried a formal character. It was closely related to the government's aspiration to meet the country's international obligation formally. Legal framework was adopted for this purpose. And while the reform was regarded as satisfactory internationally, the reality differed. Deported families faced many hurdles in the process of return. Therefore, from the standpoint of the significance of "repatriation" as a process through which refugees regain their residence to the fullest extent, the Georgian case could hardly be considered a success.

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