

## COALITION FOR JUSTICE

**THE 2012 HUMAN DIMENSION IMPLEMENTATION MEETING:  
WORKING SESSION 2: FUNDAMENTAL FREEDOMS II,  
INCLUDING FREEDOM OF MOVEMENT****Freedom of movement of the occupied territories of Georgia**

A right to move freely within one's own country continues to be grossly violated for those Georgians who wish to travel to or who reside throughout the Russian-occupied Georgian territory of Abkhazia and Tskhinvali Region/"South Ossetia". Prohibition of free movement between Georgia and Abkhazia and Tskhinvali Region/"South Ossetia" is illegal given that the international law recognizes both regions as Georgian territories.

For Georgians, an unimpeded entry into Abkhazia and Tskhinvali Region/"South Ossetia" has been prohibited by the *de facto* authorities for almost 20 years now, ever since the brutal war and ethnic cleansing was used to expel over 400,000 individuals of many nationalities, majority of them ethnic Georgians. Since 2008 Russia-Georgia War, the deployment of large numbers of Russian troops to these Georgian territories further exacerbated the situation, solidifying the gains of bloody secession, prolonging illegal occupation and making life so much more difficult for the Georgian communities residing along the occupation line..

For those who are not familiar with why the movement of persons between the occupied territories and the rest of Georgia is central for the survival of the residents of Abkhazia and Tskhinvali Region/"South Ossetia", I will elaborate: Approximately 45,000 Georgians reside on the occupied territories mostly along the so-called *Administrative Boundary Lines (ABL)* between Georgia and Abkhazia and Tskhinvali Region/"South Ossetia". These Georgians have always been highly integrated with the rest of Georgia and their lives require that they cross the occupation line daily in order to visit their families and relatives, to trade, to get medical assistance, to go to school or work, to purchase food, household items and agricultural materials. People travel back and forth for seasonal agricultural work, which for many residents of the region is an only source of income.

Throughout 2012, the Russian troops stationed in Abkhazia and Tskhinvali Region/"South Ossetia" have continued to gradually, yet steadily take over the control of the territories they occupy, not only by pouring-in cash and building the numerous military bases, but also by tightening the control over the occupation line and the natural crossing areas traditionally used by the local residents.

For instance, in Abkhazia, a borderline region of Gali has a population of over 43,000, of which approx. 97% is Georgian. Here Russian troops dug up ditches along the ABL, thus rendering the crossings traditionally used by the locals, impassable by vehicles, shutting completely the movement of people and vital goods.

Since September 2012, Gali residents reported a complete takeover of the border control and patrolling functions by the Russian forces, sidelining the Abkhaz patrols and enacting much

stricter border control protocols. This created more obstacles to free movement of people, who a year before, when necessary, were able to negotiate access using *inter alia*, personal and family connections with the Abkhaz. Furthermore, on an only “official”, Russian-controlled border checkpoint on the river Enguri **only** travel documents issued by the *de facto* authorities are accepted. Such documents are not recognized except by Russia and a handful of remote nations. A need to have such an “unrecognized” travel document forces the local residents, the majority of whom already have Georgian ID cards, to apply for papers issued by *de facto* authorities and to renounce Georgian citizenship in the process. This discriminatory practice constitutes forced passportisation, which is a violation of human rights and must be stopped immediately.

Additionally, there are other bureaucratic, financial and physical barriers to free movement of people, such as a need for a special pass issued by the *de facto* administration; fees, which need to be paid to acquire the pass; money and time, which is required to travel on the run-down roads to the Gali administrative center some 20 km away from many villages along the occupation line; etc. Meanwhile, if local residents choose to cross the ABL in circumvention of the “official” checkpoint on Enguri, they risk being apprehended, imprisoned and fined. On several occasions, regrettably, people have drowned in an attempt to cross undetected the river separating Abkhazia and Georgia.

In one of the interviews, a resident of Gali told Coalition for Justice: “Since November 2011, it is difficult for Georgians not only to move across the ABL, but also within the villages in the Gali region. If before Russians were standing at the crossing checkpoint only, now they have a post in every village. They stop every passerby and ask for the documents. If a person has no documents, he/she is taken directly to the *de facto* police in Gali and fined 1,000 Rubles (40USD); the amount of the fine increases with each detention.”<sup>1</sup>

**The limitations on free movement of people imposed at the occupation lines are illegal and have a negative impact on the well-being and safety of the local population. Human Rights Watch called these restrictions “arbitrary” and “onerous burdens” on the freedom of movement.**<sup>2</sup>

Coalition for Justice demands that the residents of the occupied territories are granted free passage across the occupation line and that unnecessary financial and bureaucratic burden is lifted from the residents of the occupied territories wishing to cross the occupied line.

Lastly, in the context of freedom of movement, Coalition for Justice wishes to draw your attention to the suspension, since May 2012, of the quadripartite Incident Prevention and Response Mechanism or IPRM in Abkhazia. Since its establishment in 2008, the meetings under IPRM held in Gali with the participation of EU, OSCE, UN, Russia, Georgia and *de facto* authorities were the only tool for engagement on security and freedom of movement issues in this volatile region. However, on May 3, 2012, IPRM activities in Abkhazia were suspended indefinitely as the head of EU Monitoring Mission - Andrzej Tyszkiewicz was declared *persona non grata* by the Abkhaz. While the EU Monitoring Mission’s work has been limited because of the refusal of the occupying forces to allow EUMM into Abkhazia, the suspension

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<sup>1</sup> Interview with the Georgian population who cross daily from Gali.

<sup>2</sup> Human Rights Watch Report: Living in Limbo: The Rights of Ethnic Georgian Returnees to the Gali District of Abkhazia, July 15 2011, See link: <http://www.hrw.org/node/100313> , Last visit on March 2, 2012

of IPRM's work is a tremendous setback in the human right monitoring and on the road toward confidence building and conflict resolution.

Coalition for Justice would also like to use this opportunity to urge the OSCE participating states to facilitate the restoration of the IPRM in Abkhazia in the shortest possible timeframe. Additionally, we call on Russian federation to grant the EU Monitoring Mission an unhindered access to the occupied territories such that EU MM observers can perform their peaceful mandate as agreed in the 6-point Medvedev-Sarkozi agreement of September 2008.

Thank you!