



EMBASSY OF GEORGIA TO THE REPUBLIC OF AUSTRIA
PERMANENT MISSION OF GEORGIA TO THE OSCE AND OTHER
INTERNATIONAL ORGANIZATIONS IN VIENNA

OSCE Human Dimension Implementation Meeting

Warsaw, October 5, 2009

Working Session 10: Tolerance and Non-discrimination II

Intervention of the Georgian Delegation

Mr. Moderator, Ladies and Gentlemen,

The Government of Georgia attaches high importance to the respect and implementation of the international and regional human rights agreements, including instruments banning discrimination and intolerance both on national as well as on international level. Therefore, Georgia is striving to fulfill human rights obligations incumbent upon it and urges all states to respect and ensure respect of human rights and freedoms.

An important step on the path towards a society free from discrimination has been and is the existence of relevant anti-discrimination institutions and forums such as the UN Committee on the Elimination of Racial Discrimination, Special Rapporteur on Discrimination, Xenophobia and Intolerance and the European Commission on Racial Discrimination. We have the honor to host the visit of the latter institution in Georgia this week.

Georgia is a multiethnic country and this particularity has been the richness of culture and major asset in building a new democracy.

We have been particularly shocked in fall 2006, when Georgia as well as international community witnessed unprecedented disregard towards the ethnic Georgians in the neighboring country – Russian Federation. Ethnic Georgians were singled out; thousands of Georgians were detained in October and November 2006 and expelled from the country, including many Georgians residing legally in Russia. The

abovementioned policy even targeted school students with ethnic Georgian names and origins.

In the words of Human Rights Watch: “Russian authorities denied basic rights to many of the detained, including access to lawyer or possibility of appealing the expulsion decision taken against them. Most were given trials lasting only a few minutes. Georgians were held in sometimes appalling conditions of detention and in some cases were subjected to threats and other ill-treatment.”

What has been particularly troubling is the fact that the Russian Government’s campaign against ethnic Georgians occurred in the context of pervasive racism and xenophobia in Russia. In recent years, violent racially-motivated attacks and murders have become common occurrence. UN Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance alarmed international community that “Russian society is facing an alarming trend of racism and xenophobia” and further noted about the climate of impunity and tolerance from the law enforcement bodies.¹ In the same line, UN Committee on the Elimination of All Forms of Racial Discrimination expressed its concern about the racially selective inspections and identity checks targeting members of specific minorities, including those from Caucasus.² In a rare public statement, the European Commission against Racism and Intolerance, commonly known as ECRI, acknowledged that the campaign against Georgians was “directed by certain public authorities specifically at a particular ethnic group.”³

Shaken by the scope and nature of the problem, Georgian Government sought for the remedies within the Council of Europe, particularly European Court of Human Rights. The European Court of Human Rights has declared the application lodged by Georgia against Russian Federation as admissible. The Court has genuinely acknowledged existence of administrative practice of Russian authorities against ethnic Georgians. It is yet to be seen and discussed in the realm of the Court, all the details and the scope of this administrative practice.

¹ Report of the UN Special Rapporteur on Contemporary Forms of racism, Racial Discrimination, Xenophobia and Related Intolerance, Doudou Diene, Mission to the Russian Federation, May 30, 2007.

² CERD Concluding Observations on the Russian Federation, 62nd session, March 21, 2003

³ December 15, 2006, ECRI’s 41st plenary meeting

Having said so, this vivid example represents an alarming precedent, while the policy of continued impunity sets a dangerous tendency of discrimination and xenophobia in Russia. We deeply hope that the international community and the European Court of Human Rights would faithfully respond to this incident and remedy victims of a disguised systematic problem.

Thank you