

## Restriction of Freedom of movement

Current situation in the occupied Tskhinvali and Abkhazia regions is a consequence of direct Russian military aggression in 2008 and subsequent occupation. Today both occupied regions of Georgia are entirely under the control of Russian occupation forces which as the only party maintaining effective control in the region bare the fully responsibility on human rights violations on the ground.

Restriction of freedom of movement is one of the most serious challenges for the Central Government of Georgia towards both Occupied Abkhazia and Tskhinvali Regions' directions. The detentions of the Georgian citizens (not only) for so called "illegal border crossing reasons" by the Russian occupational forces unfortunately became quite common bad practice established after Russian- Georgia war in 2008.

In occupied Abkhazia region, during the 2013, more than 2000 persons were detained by Russian occupation forces for so called "illegal border crossing reasons". In 2014 (January-October 1 period), this number reached nearly 3000 people. According to the Russian FSB officials in 2015 more than 2400 people were detained for so called "illegal border crossing" and 150 - for the "border regime violation". In 2016 (June-August period), 900 people were illegally detained.

Towards Tskhinvali region the detention cases for so called "illegal border crossing reasons" is comparatively less than in occupied Abkhazia. In 2013 the number of the illegal detainees reached 142. The number remained the same in 2014. In 2015, it was increased up to 163. From the beginning of 2016, 110 people were detained.

Detentions for so called "illegal border crossing" reasons towards Tskhinvali region					
year	2012	2013	2014	2015	2016
number	108	142	142	163	110

It's worth to underline, that the up mentioned illegal detentions severely restrict local residents' right of freedom of movement, family life and other civil, cultural and economic rights.

In addition, according to the de facto Tskhinvali authorities in 2013-2016 nearly 460 people (mostly ethnic Ossetians) were detained by Russian occupational forces and de facto Tskhinvali security servicemen for the violation of the so called "border regime and state border".

It should be highlighted that the up mentioned 460 people are the residents of occupied Tskhinvali region itself who were trying to cross the occupation line and keep interaction with their family members, friends and relatives residing at the territory controlled by the central government of Georgia.

It is noteworthy that in August 2016, the residents of occupied Tskhinvali region appealed to the de facto president **Leonid Tibilov**, because it creates additional obstacles to people to people communication<sup>1</sup>.

Overall it is clear that together with ethnic Georgians and Ossetians residing at the territory controlled by the Georgian central government of Georgia in the vicinity of occupation line (not only), de facto South Ossetia "citizens" are also deprived the possibility to freely move in the lands where they were grown up, have friends, families and close relatives.

Nowadays, besides the illegal detentions, we face extremely dangerous trend related to the facts of physical abuse. These are the precise cases that occurred on July 26<sup>th</sup> in village Kirbali, Gori district, on August 4<sup>th</sup> in village Kveshi, Gori district and on June 8<sup>th</sup> in village Gugutiantkari, Gori district.

- ) **Case Of Takadze** - On July 26, at about 16:30 hrs, two armed Russian FSB officers approached the occupation line/ABL in the area of village Kirbali, Gori district, in the vicinity of local cemetery and tried to detain local resident, shepherd **Zakaria Takadze** (DOB: 1966). During the detention **Mr. Takadze** was physically abused by the representatives of occupational forces, in particular the latter severely beaten him up with the butt of automatic rifle. Overall, **Takadze** managed to escape from the perpetrators and due to severe health conditions he was immediately placed in Gori hospital.

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<sup>1</sup> URL: <http://www.ekhokavkaza.com/a/27896567.html>  
<http://www.ekhokavkaza.com/a/27902914.html>

The forensic medical examination issued by **Levan Samkharauli national Forensic Bureau** (on July 27) revealed following: contused wounds, incisions and hemorrhage are observed on the body of **Mr. Zakaria Takadze**. Injuries are caused by blunt object(s).

- ) **Case of Aleksandre Sheverdashvili** - On August 4, at about 6:00 am, the resident of village Kveshi, Gori district **Aleksandre Sheverdashvili** was working in his orchard close to the ABL. Suddenly he was approached by five armed, masked people in military camouflage uniforms. As a result, the latter's have severely beaten him up with automatic rifles. Overall, Mr. **Sheverdashvili** was detained for so called **illegal border crossing** reason and was released on August 5 after paying fine in amount of 2 000 RUB. Due to severe health condition **Sheverdashvili** was taken to the Gori hospital for medical treatment. According to the forensic medical examination (issued also by **Levan Samkharauli national Forensic Bureau** on August 15) due to the injury on August 4, Mr. **Aleksandre Shaverdashvili** has a concussion of the brain, contused wounds (injure (a part of the body)) without breaking the skin, forming a bruise) in his head and scratches on the face. Injuries are caused by a blunt object.]
- ) **Case of Giunashvili-** On June 8 the resident of Berbuki IDP settlement, MR. **Giorgi Giunashvili**, was detained in the area of village Gugutiantkari, Gori district and was sentenced four month imprisonment. Besides, it has to be underlined that **Mr. Giunashvili** faced serious physical abuse and physiological pressure in Tskhinvali "prison".

Unfortunately, besides the facts of illegal detentions we are witnessing restriction of freedom of movement across the ABL toward occupied Abkhazia. A brilliant example of this fact is the closure of the so called crossing points effectively used by the locals for the movement across the ABL. According to the statements of the "Abkhazian authorities", for so called ABL security reasons all crossing checkpoints except one (Rukhi-Chuburkhinji so called Crossing Point) will be shut down.

The process of closure has already began, as two so called crossing checkpoints were abolished, one located between Mujava, Tsalenjikha district and Lekukhona, Gali district and another between Tagiloni, Gali district and Shamgona, Zugdidi district (this particular crossing checkpoint was closed on April 15, 2016).

All in all the closure of the crossing points highly complicated daily life of the locals and generally undermined the right to freedom of movement.

Another serious impediment to the right to freedom of movement are the difficulties related to the free access to the schools located on the different sides of occupation line.

There are cases when the Russian military troops did not allow schoolchildren of Georgian ethnicity from the Gali district (occupied Abkhazia) to cross the occupation line/ABL to attend classes in their Georgian schools in the adjacent Zugdidi and Tsalendjikha districts – thus closest to their places of residence.

One of the obvious three cases occurred in September 2016, when the Russian FSB officers did not allow approximately 20 schoolchildren to pass the ABL and to go to schools located on the territory controlled by the central government of Georgia. The up mentioned children had not faced such problem before and they were moving through the ABL without any restriction.

All above-mentioned facts represent the quite clear discriminatory policy against the ethnic Georgians living in occupied Abkhazia.

Overall, it is obvious that freedom of movement remains extremely problematic issue for the residents on both sides of the occupation line/ABL. The facts of physical abuse, which also violate fundamental rights of an ordinary people is a matter of a serious concern as well. Overall, such practice directly undermines peace and stability on the ground.