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Situation of IDPs in Georgia

Information Note

Distributed by the Delegation of Georgia

In late August 2008, in the aftermath of the Russian invasion of Georgia, which originated new waves of massive displacement of local population, the Civil Registry Agency of Georgia recorded a total of 131 169 Internally Displaced Persons (IDPs) and victims of ethnic cleansing. Today, approximately 30 000 of these victims are still forbidden from returning home by the occupying power. Unfortunately, the number of IDPs is not limited to the victims of the Russia-Georgia August 2008 War. Since 1991, more than 350 000 of ethnic Georgians have been persecuted and forcibly expelled from the regions of Abkhazia and South Ossetia.

Actions Undertaken by the Government of Georgia in order to ensure adequate living conditions for Internally Displaced Persons in Georgia:

The Government of Georgia has undertaken urgent actions in order to ensure adequate living conditions for Internally Displaced Persons in Georgia until they can return home. The Government of Georgia provided IDPs with all available public and private buildings as temporary shelters for emergency period and simultaneously, in autumn 2008, launched programs for construction of new dwellings for them. Major measures carried out since 2008 then include, but are not limited to:

- Construction of 40 new settlements to house the IDPs.
- Construction of 4 379 housing units with funding from the Municipal Development Fund of Georgia and the Shida Kartli regional administration.
- Rehabilitation of 1 524 apartments (mainly in the regions of Shida Kartli and Kvemo Kartli).
- Purchase of 312 apartments for IDPs (mainly in the Shida Kartli and Kvemo Kartli regions).
- Financial assistance for housing purposes granted to 1 616 families (approximately 10 000 USD per family).

- Allocation of agricultural land plots to 5 577 IDP families.

The Government provided financial aid to displaced farmers to acquire agricultural supplies. Programs are also being established to assist IDPs seeking to start small-scale businesses. For example, vocational training centers will open in the villages of Tserovani and Koda, in Gori, as well as in the Tbilisi suburbs.

A range of social-welfare and educational programs under the aegis of the Ministry of Labour, Health and Social Affairs of Georgia and the Ministry of Education and Science have been extended to cover the IDPs. Medical assistance and medication also are provided free of charge. Free transportation is offered to children living far from schools.

Government Support to IDPs, Victims of Ethnic Cleansing from early 1990s:

While addressing urgent needs of the victims of the August 2008 Russia-Georgia War, the Government remains committed to enhancing assistance to victims of earlier waves of ethnic cleansing, recognized by the OSCE Budapest, Lisbon and Istanbul decisions. In this context, the following measures have been carried out:

- 285 buildings with 7 292 apartments were renovated; the total renovated space covers 453,000 square meters.
- The opportunity to own their housing units was offered to 10 414 IDP families in 294 collective centres. To date, 6 600 IDP families have signed contracts and the process is continuing. In order to facilitate the process, the Ministry of Refugees and Accommodation of Georgia is now conducting a survey to be presented to the ministry's steering committee.

Work and Livelihood Initiatives:

The Government of Georgia is aware that beyond infrastructure projects, effective social programmes, work and livelihood initiatives are needed for IDPs. In this context, several approaches have been taken and will be implemented by the relevant state bodies, including:

- Reassigning IDPs who served as public servants in now-occupied regions of Georgia to new positions near their current residence, thus allowing them to remain employed.
- Distributing agricultural land to persons previously employed in agriculture.
- Launching of new educational and social services in and near IDP settlements.

On June 15, 2009, the Government of Georgia approved the “IDP Community Development Project,” with the total budget of 2 209 400 USD. The project aspires to enhance the social and economic reintegration of IDPs through increased opportunities to participate in community development activities, ensuring better access to basic infrastructure, services, employment and livelihood opportunities, and building national capacity to provide support to IDPs.

Action Plan for the Implementation of the State Strategy on IDPs:

The Government revised the State Action Plan for the Implementation of the State Strategy on IDPs on May 28, 2009. The document sets out a vision for integrating IDPs and improving their living conditions through durable solutions, including by establishing transparent, fair criteria for extending social-assistance programmes to vulnerable IDPs. The implementation process is ongoing and will be implemented in three stages.

The first stage foresees the rehabilitation of the collective centres and the transfer their ownership to IDP families for the symbolic price of one GEL; this process is ongoing and will continue in 2010.

The second stage will involve the following activities (2010-2011):

- Improving living conditions of IDPs who refused to take ownership of their current living spaces in the collective centres.
- Assisting IDPs who reside in private accommodations (in rental properties, or with relatives or homeless) and those residing in privately owned collective centres.
- Identifying and renovating state-owned and unused buildings.
- Constructing new accommodations in various regions, with priority given to regions where IDPs are already residing and integrated.

The third stage will start in 2011. One-time monetary assistance will be provided to IDP families not in need of accommodation.

Right of Return:

Regardless of impressive and comprehensive measures undertaken by the Government of Georgia to ensure adequate living conditions for Internally Displaced Persons, the ultimate goal is to fully and unconditionally ensure the right of return of IDPs. This aim is equally shared and supported by International Community and extensively recognized by International Organizations. The UN, the OSCE, the CoE, the EU are committed to facilitate the voluntary return of IDPs in safety and dignity.

The OSCE recognizes the UN Guiding Principles on Internal Displacement as the relevant framework for ensuring protection of the rights of IDPs and refugees (Maastricht Ministerial Council decision 4/03, §13). The ODIHR/HCNM Report of November 2008 illustrates that the actions of Russian military authorities and its proxy regimes impede the return of displaced persons, in contravention of OSCE commitments and other international obligations, including the recent order of the ICJ. The ODIHR/HCNM Report once again emphasizes the commitment of the OSCE participating States “to facilitate the voluntary return in safety and dignity, of internally displaced persons, in accordance with international standards, recognizing also that the reintegration of people to their places of origin must be pursued without discrimination” (Lisbon Document 1996, §10).

The United Nations General Assembly has also responded to Russia’s continuing refusal to allow displaced ethnic Georgians to exercise their right of return and recognized, among others, “the right of return of all internally displaced persons and refugees and their descendants, regardless of ethnicity, to their homes throughout Georgia, including in Abkhazia and South Ossetia.”¹ On September 7, 2010, the 64th plenary session of the UN General Assembly adopted a resolution submitted by Georgia on the “Status of the Internally Displaced Persons and Refugees from Abkhazia, Georgia and the Tskhinvali region/South Ossetia, Georgia.” The UN Resolution stresses that the right of safe and dignified return of all internally displaced persons and refugees and their descendants, regardless of ethnicity, to their homes in Abkhazia and the Tskhinvali region is unchallenged. Among others, it reiterates the need to respect the property rights of all displaced. The Resolution underlines the urgent need for unimpeded access of humanitarian organizations to Abkhazia and the Tskhinvali region. This paragraph takes on particular importance against the background of the Russian Federation and its proxy regimes still barring the humanitarian missions and international organizations from accessing the occupied territories of Georgia.

This is not the first attempt of International Community to call on Russia to respect international norms and principles. In 2009, the General Assembly called for “the development of a timetable to ensure the voluntary, safe, dignified and unhindered return of all internally displaced persons and refugees affected by the conflicts in Georgia to their homes.”² Russia rejected the Resolution.³

¹ U.N. General Assembly, *Georgia: resolution, Status of internally displaced persons and refugees from Abkhazia, Georgia, and the Tskhinvali region/South Ossetia, Georgia*, U.N. Doc. A/64/L.62 (7 Sept. 2010), p. 2.

² UN General Assembly, *Resolution 63/307, Status of internally displaced persons and refugees from Abkhazia, Georgia, and the Tskhinvali region/South Ossetia, Georgia*, U.N. Doc. A/RES/63/307 (30 September 2009). GWS, Vol. III, Annex 102.

³ UN General Assembly, Rules of Procedure of the General Assembly, Rule 74, U.N. Doc. A/520/Rev.17 (2008). Pursuant to rule 74 of the rules of procedure of the General Assembly, Russia unsuccessfully moved a no-action motion on the draft resolution.

In September 2009, another organization, the Council of Europe passed a resolution calling on “Russia and the *de facto* authorities of South Ossetia and Abkhazia to fully and unconditionally ensure the right of return of internally displaced persons.”⁴ Again, this call has been totally ignored by Russia.

Ensuring the realization of the right to return is one of the basic prerequisites for achieving a lasting solution to the conflict” – recognizes the report realized by the Independent International Fact-Finding Mission on the Conflict in Georgia. The Tagliavini Report concludes that “The authorities in Abkhazia and South Ossetia, together with Russia, should take all appropriate measures to ensure that IDPs are able to return to their homes. No conditions for exercising this right, other than those laid down by international standards, shall be imposed on IDPs. Georgia shall respect the principle of return as a free, individual decision by displaced persons.”

Resolutions, recommendations, calls from International Organizations, human rights reports demonstrate that International Community is unanimous in denouncing all policies and acts of ethnic cleansing and stand united against continued violations of human rights and international law, particularly by ethnically driven violence.

⁴ Council of Europe, Parliamentary Assembly, *Resolution 1683, The War between Georgia and Russia: one year after* (29 September 2009), par. 6.2. GWS, Vol. III, Annex 119.