

2011 HUMAN DIMENSION IMPLEMENTATION MEETING

WORKING SESSION 6: FREEDOM OF MOVEMENT – IMPLEMENTATION OF OSCE COMMITMENTS RELATED TO FREEDOM OF MOVEMENT AND HUMAN CONTACTS

FREEDOM OF MOVEMENT IN THE OCCUPIED TERRITORIES OF GEORGIA

Ladies and gentlemen, honorable guests, Mr. Chairman,

On behalf of thousands of ethnic Georgians residing in the Russian occupied Abkhazia and South Ossetia, I'd like to express our grave concern over the restrictions on freedom of movement across the so-called administrative boundary lines. Today, in both of these regions, freedom of movement of the Georgian population is undermined by the discriminatory policies which either prohibit or significantly restrict free movement of individuals and goods across the boundary.

Here I would like to remind you that it is primarily the Georgian population of both Abkhazia and South Ossetia who has livelihoods on both sides of the boundary line. Georgians primarily travel to and fro because they do not feel safe living permanently in the occupied territories. Insecurity, discriminatory practices, harassment and intimidation compels Georgians to have a lifestyle that requires them to cross the boundary line daily in search of medical help, Georgian-language schooling, for trade and other economic activity, for various family reasons, etc.

In what follows I will attempt to describe the nature of the violations of the freedom of movement and how it affects the livelihoods of the Georgian population.

Firstly – the Georgian residents of the occupied territories have the legitimate right to move freely throughout Georgia, including across the administrative boundary lines. However, they cannot exercise this fundamental right unless they carry a passport issued by the secessionist authorities. Consequently, Georgians living in the occupied territories are forced to denounce Georgian citizenship and obtain local passports. Furthermore, ethnic Georgians are threatened with the confiscation of property and expulsion from their homes for being “citizens of another country”, unless they obtain these passports. Let me alarm you, that forced passportization is a major human rights violation and may lead to another wave of ethnic cleansing of Georgians in the occupied territories.

Secondly - Crossing the boundary line requires a crossing permit, which can only be obtained at the nearest administrative center and for a fee. Trips from various remote villages to the city center are often lengthy while fees are often too high by local standards. Meanwhile, crossing without documentation results in incremental fines and detention. Impoverished Georgian population thus needs to spend valuable time and financial resources on permits, and this further exacerbates their economic situation.

Thirdly - Crossings are only permissible at “officially designated” crossing points, which are very few. In the meantime, crossing through rivers, forests, and mountain paths is prohibited. If caught while crossing at the undesignated crossing, the violators pay a bribe or are taken into custody. Georgian communities who used these access points for ages because of the convenience, cost and time effectiveness, now suffer financial consequences, as well as harassment and detention.

Overall, since January 2011, upwards of 200 instances of the detention for illegal border crossing have been reported. Currently, 15 individuals remain in Gali jail with a 30-day sentence on charges of illegal border crossing, because they were unable to pay the fine or the bribe.

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Finally, I would like to call on the international community to engage proactively with the powers which exercise effective control over the occupied territories and allow for free movement of individuals thus contributing to finding solution of the human rights and humanitarian problems in the area under their control. In particular, in relation to its freedom of movement commitments, the Russian occupying forces shall:

1. Commit to bringing all discriminatory policies, including discriminatory boundary crossing policies in line with international legal and human rights standards
2. Allow free crossing of the administrative boundary lines by eliminating crossing permits and abolishing so-called "designated" crossing points
3. Prevent and prosecute the crime of extortion and bribery and eliminate sanction for "illegal crossing"

In conclusion, I would like to urge this audience to work tirelessly on finding peaceful resolution to Georgia's conflicts and explore additional avenues in order to end the humanitarian catastrophe and human-rights violations caused by the occupation and the population displacement.

Thank you

COALITION FOR JUSTICE

Tamar Vashakidze

16 Marjanishvili Str., apt 2A, Tbilisi, 0102, Georgia

Tel: +995 32 47 12 17, Fax: +995 32 2 47 12 18

Email: info@cfj.ge

Webpage: www.cfj.ge