

COALITION FOR JUSTICE

THE 2012 HUMAN DIMENSION IMPLEMENTATION MEETING:
WORKING SESSION 3: HUMANITARIAN ISSUES AND OTHER COMMITMENTS, INCLUDING
REFUGEES AND DISPLACED PERSONS

Dear moderator, distinguished guests,

Recently, the so-called President of South Ossetia, Leonyd Tibilov, in his interview with a Russian-language newspaper "Izvestia" unveiled his plans to demolish four Georgian villages in Tskhinvali Region/"South Ossetia" - a Georgian region currently occupied by Russia, thus sanctioning the continuation of ethnic cleansing of Georgians. Georgian villages of Kurta, Kekhvi, Achabeti, and Tamarasheni, populated by Georgians before the war of 2008 are located just north of the capital - Tskhinvali. Mr. Tibilov plans to raze these villages to the ground and use the land for various agricultural and industrial needs, while also abolishing their Georgian names.

The policy of purposeful destruction of Georgian towns, villages, schools, cultural and religious landmarks as well as the destruction and/or confiscation of private property belonging to ethnic Georgians has been a common occurrence in Tskhinvali Region/"South Ossetia". In a response to Mr. Tibilov's statement, the OSCE High Commissioner on National Minorities - Knut Vollebaek pointed out: "The houses still belong to the original inhabitants of these villages and they should not be demolished. Under international law, the displaced people have a right to return to their homes and their property should be respected".

Mr. Tibilov's statement is just one in the long list of statements and actions by the *de facto* authorities of South Ossetia aimed at solidifying the gains of ethnic cleansing of Georgians, which started in early 1990s and ended in the complete expulsion of 22,000 Georgians from Tskhinvali Region/"South Ossetia" after 2008 Russia-Georgia War. Kurta, Kekhvi, Achabeti, and Tamarasheni are among those 16 Georgian villages, which were methodically destroyed, burned down and bulldozed over in the aftermath of the war. Implicit in Mr. Tibilov's statements is a purpose of the *de facto* authorities to prevent the return of Georgians to Tskhinvali Region/"South Ossetia".

Broadly, the refusal to let the displaced return to their homes is not unique to the *de facto* authorities of South Ossetia. Since the 1990s, over 400,000 people have been displaced from Tskhinvali Region/"South Ossetia" and Abkhazia. Both these regions seceded from Georgia in the early 1990s and are currently under the Russian occupation. The policy of ethnic cleansing and expulsion of Georgian population from Abkhazia and Tskhinvali Region/"South Ossetia" caused the displacement of 46 % of Abkhazia's and 29% of Ossetia's Georgian population, along with thousands of Greeks, Jews, Ukrainians, Estonians, Azeris, Roma, etc. These persecuted individuals fled their homes in unseaworthy boats, on foot through snow-covered mountains, or on airplanes that came under constant hostile fire.

Almost two decades since ethnic cleansing, in which murder, extrajudicial and/or mock executions, torture, kidnapping, slavery, rape, expulsion, etc, was used against peaceful Georgian population, the displaced continue to be banned by the *de facto* authorities and Russian occupying forces from returning home. **This ban makes the fundamental right of a person to return to his own country a right violated on the largest scale in the context of displacement in Georgia.** This is purposeful, since the return of the displaced will inevitable restore the pre-war demographic situation in these regions and will alter the composition of the electorate. This will cause the redistribution the political power and collapse of the totalitarian hold of the Abkhaz and South Ossetian political elites over all political, economic, social and cultural aspects of life in these regions.

Ironically, while Georgians and other undesirable ethnic groups are not allowed home, Abkhazia's *de facto* regime, for instance, has welcomed immigration from Syria. Recent announcement by the Abkhaz confirms that 13 Syrian

families of Abkhaz descent have been given homes in Abkhazia. This would be a noble gesture, if it were not an epitome of discrimination on ethnic grounds, whereas the rightful residents, brutally expelled from Abkhazia are not allowed back even to visit their homes, ancestral graves and religious sites.

In a countless interviews Coalition for Justice held with the internally displaced persons (IDPs) in Georgia the respondents commented that Russian occupation is a major impediment for the return of IDPs to Abkhazia and Tskhinvali Region/"South Ossetia". "if it were not for the meddling of Russians, we would have found a common ground with the Abkhaz and Ossetians. We are brothers"- Giorgi Lemonjava, a participant, added.¹

Related to above-mentioned announcement by Mr. Tibilov, and tightly linked to the discourse on the right to return is another **right widely violated on the occupied territories - a right to property**. Right to property is a fundamental human right, which guarantees a person's ability to own, use and dispose his/her property according to his/her will. This right is guaranteed to all, including the displaced persons and is applicable during occupation, in accordance with the international humanitarian law. However, this courtesy is not extended to ethnically Georgian exiles, who were forced to leave their property in Abkhazia and Tskhinvali Region/"South Ossetia". Their properties on the occupied territories have been confiscated and sold illegally by the new masters of the land, emboldened by the *de facto* authorities who have passed discriminatory laws allowing such practice to flourish. In the situation of occupation, Russia, a party that exercises effective control over the occupied territories must take all necessary steps to protect the property rights of the displaced, thus acting in accordance with international human rights and the international humanitarian law

The right of Georgia's displaced to return home in safety and with dignity has been repeatedly reaffirmed through various UN, OSCE, EC and EP resolutions. Each resolution solemnly demands the return of refugees, the internally displaced persons to their homes in Abkhazia and Tskhinvali Region/"South Ossetia". However, the *de facto* authorities and the Russian occupying forces have resisted vehemently all calls by the international community to allow the return of the IDPs.

In the light of the above, Coalition for Justice urges OSCE participating states, to play a more forceful role in the resolution of Georgia's conflicts, to use all available avenues to bring about de-occupation, to facilitate the return of the IDPs and the restoration of their political, economic, social and cultural rights. The international community must create additional tools for pushing forward the peace process, for productive engagement between the sides, for greater access to the occupied territories for observer missions, and for protection of the rights of the displaced.

Thank you for your attention.

¹ Interview with the group of IDPs, conducted by CFJ on February 2012, Europe House, Tbilisi, Georgia