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Consolidated report on the conflict in Georgia
(April 2017 – September 2017)

Document presented by the Secretary General

¹ This document has been classified restricted until examination by the Committee of Ministers.

Introduction

1. At their 1080th meeting on 24 and 26 March 2010, the Ministers' Deputies took the following decision: "*The Deputies, restating the previous decisions of the Committee of Ministers, invited the Secretary General to prepare his consolidated report on the conflict in Georgia based on his outline and taking into account the comments made during the present meeting*".

2. It is recalled that the objective of the report is to take stock of the situation in Georgia following the August 2008 conflict, to report on the related activities of the Council of Europe and to propose further Council of Europe action. The report is composed of four parts:

- update on major developments in the period under review;
- assessment of statutory obligations and commitments related to the conflict and its consequences;
- the human rights situation in the areas affected by the conflict; and
- current Council of Europe activities aimed at addressing the consequences of the conflict, their follow-up, as well as proposals for future action.

3. This 16th consolidated report covers the period between April and September 2017. It builds on the previous consolidated reports², as well as Secretariat reports on the human rights situation in the areas affected by the conflict in Georgia³ and the report on the Council of Europe activities in the areas affected by the conflict⁴ and its updates⁵. The Deputies' decisions on the Council of Europe and the conflict in Georgia are also recalled in this respect.⁶

4. A delegation of the Secretariat carried out a fact-finding visit to Tbilisi on 18-19 September 2017 and had the opportunity to discuss the situation with the Georgian authorities, the Public Defender of Georgia as well as representatives of international organisations and representatives of local NGOs working on conflict reconciliation. The Secretariat wishes to express its gratitude to the Georgian authorities for their support in organising the visit and to all interlocutors for their assistance and valuable contributions.

² [SG/Inf\(2010\)8](#), [SG/Inf\(2010\)19-final](#), [SG/Inf\(2011\)8](#), [SG/Inf\(2011\)24](#), [SG/Inf\(2012\)5](#) and [SG/Inf\(2012\)28-rev](#), [SG/Inf\(2013\)13](#), [SG/Inf\(2013\)38](#), [SG/Inf\(2014\)17](#), [SG/Inf\(2014\)41](#), [SG/Inf\(2015\)18](#), [SG/Inf\(2015\)41](#), [SG/Inf\(2016\)14-rev](#), [SG/Inf\(2016\)37](#).

³ [SG/Inf\(2009\)7](#), [SG/Inf\(2009\)9](#) and [SG/Inf\(2009\)15-final](#).

⁴ [SG/Inf\(2009\)5](#).

⁵ [SG/Inf\(2009\)5](#) Addendum and [SG/Inf\(2009\)5](#) Addendum 2.

⁶ Cf. decisions adopted by the Deputies' at their 1227th meeting on 12 May 2015, 1255th meeting on 4 May 2016, 1285th meeting on 3 May 2017.

5. Despite continued efforts, the Secretariat was not given authorisation to visit Abkhazia and South Ossetia for the purpose of this consolidated report. The Secretary General intends to pursue his efforts in view of fact-finding visits to Abkhazia and South Ossetia for the preparation of future consolidated reports. At the same time, it should be noted that in the period under review the Council of Europe (Secretariat members and experts) has continued enjoying access to Sukhumi for the purpose of implementation of Confidence-Building Measures (CBMs) (cf. Section IV.3). The Secretariat consequently had no opportunity to assess the human rights situation on the ground.

6. This report does not replace the monitoring procedures established in the Council of Europe. Nor should it be seen as prejudging any possible decisions in the cases related to the conflict and its consequences, which are currently pending before the European Court of Human Rights.

7. Nothing in this report should be interpreted as being contrary to the full respect of the territorial integrity and sovereignty of Georgia within its internationally recognised borders.⁷

8. This report does not prejudice or infringe upon a possible future political settlement of the conflict within the framework of the Geneva International Discussions (GID), nor the implementation of the six-point agreement of 12 August 2008 and the implementing measures of 8 September 2008.

I Update on major developments in the period under review

9. The 40th round of Geneva International Discussions (GID) co-chaired by representatives of the European Union (EU), the Organisation for Security and Cooperation in Europe (OSCE) and the United Nations (UN) was held on 21 June. The Co-chairs reported that extensive discussions took place on ways to find an agreement on a non-use of force statement (Working Group I). All participants agreed to continue to work on this matter with a view to achieving consensus before the next round of talks. Participants also discussed detentions along the ABLs, access to farmland, and exchange of information on military activities.⁸

10. GID talks on humanitarian issues (Working Group II) concentrated on issues relating to crossings, notably the practical consequences of the recent closure of crossing points on the Administrative Boundary Line (ABL) with Abkhazia, travel opportunities, documentation, missing persons, mother tongue based multilingual education, cultural heritage and environmental concerns. Follow up actions were agreed in regard to some of these issues. As in previous rounds, however, discussions on the IDPs/refugees issues could not be conducted due to long-standing divergent positions.⁹

11. On various occasions, all participants have reiterated their continued support and commitment to the GID as the only forum for relevant stakeholders to meet and address conflict-related issues, while expectations for progress appear to be growing.

⁷ It is a fundamental objective of the member states of the Council of Europe to uphold the territorial integrity of Georgia. However, the Russian Federation recognised South Ossetia and Abkhazia as independent states on 26 August 2008.

⁸ Press Communiqué of Co-Chairs of Geneva International Discussions, 21 June 2017

⁹ Ibid.

12. While the security situation on the ground is assessed by the GID participants as relatively calm and stable, the human rights and humanitarian situation of the conflict-affected communities remained worrying, notably due to persisting and newly imposed restrictions faced by the ethnic Georgian population as regards freedom of movement, documentation as well as access to basic services, including education.

13. Further progress was noted during the reporting period in bilateral exchanges between Georgia and Russia notably as regards trade and tourism, as well as air and road transport. The informal talks of Georgian Prime Minister's Special Representative for Relations with Russia Zurab Abashidze and Russia's State Secretary and Deputy Foreign Minister Grigory Karasin are recognised to have a positive effect on the process of normalisation of bilateral economic and humanitarian ties. In their most recent round of discussions held in Prague on 7 July, both sides *inter alia* confirmed readiness to start implementing the customs monitoring agreement signed upon Russia's accession to the WTO in the nearest future.

14. At the same time, the Georgian central government continued to express resolute protest against further steps taken in the framework of "agreements" signed by Russia, Abkhazia, and South Ossetia. In this respect, it is reported that the establishment of a "*Joint Information-Coordination Center of Internal Affairs Agencies*" in Sukhumi composed of Russian and Abkhaz personnel tasked with fighting organised and other serious crime is now imminent while plans are underway to set up a similar *de facto* organ in Tskhinvali.

15. The delegation was informed that the frequency of military exercises has increased in the region in comparison to previous years. In this respect, it is noted that calls for enhanced transparency on military activities through the existing venues such as the Incident Prevention and Response Mechanisms (IPRM) have been made, while the relevance of signing a non-use of force statement in the GID framework has also been underlined.

II Assessment of statutory obligations and commitments related to the conflict and its consequences

16. Below is an update on statutory obligations and specific commitments – as listed in PACE Opinions 193 (1996) and 209 (1999) – which have been selected for the purpose of reporting on the conflict in Georgia and its consequences. This part builds on Part 1 of the first and second consolidated reports on the conflict in Georgia ([SG/Inf\(2010\)8](#) and [SG/Inf\(2010\)19-final](#)).

- i. *To accept the principles of the rule of law and of the enjoyment by all persons within its jurisdiction of human rights and fundamental freedoms, and to collaborate sincerely and effectively in the realisation of the aim of the Council of Europe*
- ii. *To settle international as well as internal disputes by peaceful means (an obligation incumbent upon all member States of the Council of Europe), rejecting resolutely any forms of threats of force against its neighbours*

17. The procedure of individual applications filed in relation to the 2008 conflict against Georgia, the Russian Federation, or both, continues at the European Court of Human Rights. No further developments are reported in respect of the second Inter-State application Georgia v. Russia (II) (no 38263/08). It is recalled that the case was

first lodged on 11 August 2008, and was subsequently relinquished to the Grand Chamber, while the parties submitted their observations on the merits respectively in December 2014 and in March 2015. The interim measure adopted by the Court on 12 August 2008, inviting both Governments to respect their obligations under the Convention remains in force.

18. The investigation authorised by the International Criminal Court (ICC) continued during the period under review. On 26 July 2017, the Registrar of the International Criminal Court (ICC) signed an agreement with the Government of Georgia, to facilitate the expeditious fulfilment of the Court's mandate, activities and on-going investigations in the country. An ICC field office is planned to be set up in Tbilisi by January 2018.

19. In his address to the UN General Assembly, on 21 September, Georgian Prime Minister Giorgi Kvirikashvili reaffirmed his country's commitment to the peaceful resolution of the conflict in Georgia and non-use of force.

iii. *To respect strictly the provisions of international humanitarian law, including in cases of armed conflict on its territory*

20. The International Committee of the Red Cross (ICRC) has intensified its support of efforts aimed at ascertaining the fate of persons that have gone missing as a result of the armed conflict, and alleviating the plight of their families. Importantly, the sustained engagement of participants in the *Tripartite Coordination Mechanism* has allowed for gathering relevant information resulting in an increased pace of exhumation. The ICRC launched another round of excavations of potential gravesites during the period July-September 2017, while also trying to build the capacities of all sides by identifying local experts. As regards South Ossetia, the ICRC remains engaged in re-establishing family links, visiting prisoners and facilitating emergency medical evacuations.

iv. *To co-operate in good faith with international humanitarian organisations and to enable them to carry out their activities on its territory in conformity with their mandates*

v. *To facilitate the delivery of humanitarian aid to the most vulnerable groups of the population affected by the consequences of the conflict*

21. The delegation was informed that a package of initiatives to rebuild trust and people-to-people contacts with the conflict-affected communities on the basis of the eight policy objectives, submitted by the State Minister for Reconciliation and Civic Integration was under consideration by the Government.

22. At present, the Georgian Government continues to make available free access to healthcare, education and some other social benefits for all residents of Abkhazia and South Ossetia. According to the information submitted to the delegation by the Ministry of Labour, Health and Social Affairs, 654 people from Abkhazia and 299 from South Ossetia benefited from the government's healthcare programme during the period under review. The Liaison Mechanism established under the United Nations Development Programme (UNDP), has continued to function facilitating *inter alia* the delivery of various types of humanitarian and medical aid.

23. In Abkhazia, the UN agencies and funds, as well as several development agencies along with international NGOs, have been able to conduct protection, humanitarian and development programmes. The EU continues to support these

initiatives in line with its engagement with a non-recognition policy. In another positive development, the United Nations High Commissioner for Refugees Office (UNHCR) was reported during the reference period to have obtained access to the Kodori valley in order to assess the humanitarian situation for the first time since 2009. According to international interlocutors, however, the overall environment for international engagement in Abkhazia had become more stringent. This is *inter alia* due to restrictive rules for movement across the ABL for members of international organisations and NGOs as well as the obligation of their national staff to be interviewed by *de facto* Abkhaz security services.

24. Throughout the reporting period, access for international actors to South Ossetia remained restrained. On 3 May 2017, the UN Secretary General informed that a UNHCR humanitarian assessment mission was facilitated to Tskhinvali and Akhagori, and urged for such efforts to be continued and be further stepped up.

25. In the period under review no changes have been made to bring Georgia's "Law on Occupied Territories" in line with the Venice Commission's opinions. It is recalled that, in 2013, the Parliament adopted in first reading draft amendments that provide, *inter alia*, for decriminalising first time violations of entry procedures to the territories that are not under the control of the central government, by treating them as administrative offences.¹⁰ During the delegation's visit, the urgent need for modifying the law in a manner that is conducive to a more enabling environment for the international community's engagement with conflict-affected communities was underlined by international interlocutors. While the flexible approach of the Georgian central government in implementing the law was recognised, specific concerns were raised as regards the potential for restrictions on access. According to some interlocutors, relevant changes and amendments could also be perceived as a new effort to reach out to Sukhumi and Tskhinvali populations.

26. The Georgian Public Defender and civil society representatives, who met with the delegation, deplored that the scope for direct contacts has been reduced due to various forms of pressure faced by the NGOs and civil society actors in Abkhazia and South Ossetia. The delegation's attention was also drawn to the case of a prominent Akhagori-based activist who was temporarily detained in August 2017 and charged by the *de facto* authorities of South Ossetia with defamation in relation to critical comments in an international media outlet. More generally, the delegation's interlocutors called for stronger international attention and support to civil society actors in the region, while underlining the important value of existing instruments that enable NGOs to address the consequences of the conflict like the Confidence Building and Response Mechanism (COBERM) programme, designed and funded by the EU and implemented by the UNDP.

III Human rights situation in the areas affected by the conflict

27. Notwithstanding continued appeals at the international level, regrettably no progress has been made in ensuring unfettered access for international human rights mechanisms, including those of the Council of Europe, to Abkhazia and South Ossetia. There remains an urgent need for regular and standards-based assessment of the application of principles and standards of the European Convention for Human Rights and other international human rights treaties. It could be beneficial if specific initiatives could be taken by the Council of Europe, preferably by the Secretary General or the Human Rights Commissioner, to address this issue.

¹⁰ Cf. 9th Consolidated report on the conflict in Georgia SG/Inf(2014)17

28. Pursuant to the UN Human Rights Council Resolution 34/37 on co-operation with Georgia, the Office of the UN High Commissioner for Human Rights has started a reporting procedure that covers the situation in Abkhazia and South Ossetia.

III.1 Reports on Abkhazia

III.1.i Security

29. No major changes were reported as regards the security situation on the ground, although according to some observers the intensification of military drills further undermined the sense of security of the local population. The growing number of restrictions with respect to basic rights and services also enforces perceptions of insecurity and uncertainty. The predominantly ethnic Georgian population in the Gali district continues to be the most vulnerable group in this respect.

30. The meetings of the IPRM under the auspices of the UN co-chair of the GID, continue to take place in Gali. The most recent, 49th round, was held on 19 September and focused also on difficult issues relating to the so-called "borderisation" and detentions on the ABL. The Mechanism continues to offer an important opportunity for participants to alleviate security risks and address issues of concerns in a constructive manner.

31. On 2 June, the Abkhaz participants announced at the IPRM that they had dropped charges against the suspect in the criminal case involving the killing of a Georgian unarmed civilian on 19 May 2016 on the ABL. The GID co-chairs and several participants subsequently called for the reopening of the case to ensure that justice is served. The delegation's interlocutors also expressed great disappointment with respect to this development in the light of efforts conducted so far in the IPRM, as well as the available evidence. Overall this is a most unsatisfactory development.

III.1.ii Freedom of movement

32. The period under review was reportedly marked by an intensification of the very problematic so-called "borderisation" process along the ABL with Abkhazia. The delegation was informed that the length of fenced segments of the ABL had further increased along with the placement of surveillance equipment and other barriers such as ditches. The Georgian central government reiterated to the delegation that it condemns all "borderisation" activities and continues to raise the matter in the framework of the GID, IPRM and other international venues.

33. At present, access to territory controlled by the Georgian central government is allowed in two places, but mainly occurs over the bridge on the Inguri River, where a gradual increase in the number of crossings, up to 3,000 per day, has been reported in the wake of the closure of four out of a total of six crossing points. It is envisaged that only this crossing point will remain open in the future and the closure of the other crossing point appears to be imminent. According to the Georgian authorities, overall the number of people who cross has decreased as a result of the closure of crossing points.

34. These measures should purportedly formalise movement through the ABL and intercept uncontrolled crossings. At the same time they have severely complicated freedom of movement primarily for the Georgian population in the Gali district but also others, resulting in longer travel and ABL crossing times, although the Abkhaz *de facto*

authorities have reportedly sought to mitigate negative effects by improving infrastructure and transport options. A UNHCR shuttle continues to transport people belonging to the most vulnerable categories.

35. The delegation was informed by various interlocutors that as a part of new rules, enhanced and systematic controls as well as harsher penalties are now enforced. An important change concerns the application of *de facto* "criminal legislation" to punish so-called "illegal" crossings in groups, which to date seems to have been treated as an administrative offence. The Georgian authorities drew the delegation's attention to a case involving two relatives who after being detained for "illegal crossing" on 4 April, were subsequently sentenced to 2 and 2.5 years in prison. While this appeared to be an exceptional case, some interlocutors confirmed that longer periods of detention for "illegal crossings" appear to have become increasingly the norm along with the levying of significantly higher "administrative fines".

36. There are indications that the enforcement of the new "rules" has further exacerbated the already inadequate access of local residents to basic rights and services. Various interlocutors in Tbilisi held that a reduction in small trade, access to schools and healthcare facilities, as well as family visits across the ABL has been observed. The new restrictions are apparently compounded by the reported lack of adequate alternatives in the Gali district, notably as regards healthcare, education and trade. Concerns have been raised that if proper remedies are not put in place, further impoverishment and social isolation are very likely to occur.

37. It is recalled that the absence of crossing documents remains a significant freedom of movement constraint. The delegation was informed that the so-called "Form Nr. 9", temporarily used to facilitate freedom of movement across the ABL is to be phased out by end of 2017, when it will be replaced by the new residence permits. Currently, its extension is only granted if an application for the "residence permit" has been filed. However, at the time of the delegation's visit, both the number of applications and actual "permits" issued appeared to be limited (see also next section).

III.1.iii Identity documents

38. During the period under review the *de facto* authorities of Abkhazia have started issuing "residence permits", on the basis of the *de facto* "Law on the legal status of foreigners". As previously reported, this *de facto* law provides *inter alia* for temporary and permanent (renewable) residency status, the latter being primarily designated for the ethnic Georgian population in the Gali, Ochamchira and Tkvarcheli districts, in possession of Georgian citizenship. The issuing of "residence permits" is apparently considered by the *de facto* authorities of Abkhazia as an effort to address the documentation gap.

39. The delegation received further information on the rights attached to the new "document" which purportedly enables holders to *inter alia* continue crossing the ABL, as well as ensures access to education, healthcare and, upon the fulfillment of specific conditions, to employment and social security. However, the new status seems to grant holders only limited property rights, creating regrettably important barriers for their local integration and deepening the sense of rejection. It is recalled in this respect that the UN has called for ensuring returnees' access to political rights, equal protection before

the law, social security, health care, work and employment, education, freedom of thought, conscience and expression, and cultural life.¹¹

40. Moreover, concerns were expressed to the delegation that the criteria for obtaining the “documents” were restrictive whilst the grounds for denial could be open to subjective interpretation and included considerations of a seemingly political and discriminatory nature. For instance, it was reported by various interlocutors that a “permit” may not be granted if the applicant is found to be politically non-loyal to the *de facto* “Abkhaz state”, or to have contracted certain infectious diseases, and can be revoked following a period of six months spent outside Abkhazia.

41. The delegation was informed that less than 2,000 applications for a “residency permit” had been filed and only some 60 “documents” had been actually issued. It is understood that despite the information campaigns carried out by the *de facto* authorities, uncertainty surrounding the scope of the rights attached to the new legal status has prevented many from applying. Finally, some representatives of civil society and international organisations argued that the acceptance of “foreigner” status constitutes in itself a strong demotivation factor for the ethnic Georgian community.

III.1.iv Access to education, including teaching of/in the native language

42. Issues relating to access to education in mother tongue sustained attention during the reporting period, in conjunction with new similar developments emerging in South Ossetia.

43. The new rules relating to language of instruction continue to be enforced in all 11 schools of the lower Gali, which previously were allowed the status of Georgian language schools. At present, all subjects in grades 1-6 are reportedly taught in Russian, with only limited access to Georgian language and literature which exist as separate disciplines. The stated intention is to phase out instruction in the Georgian language in grades 7-11 and progressively replace it with the Russian language. According to the *de facto* authorities in Sukhumi, knowledge of the Russian language is necessary to facilitate advancement in the Abkhaz “education system”. The Georgian authorities recalled in this respect that similar rules have already been in place for many years in schools in the upper Gali as well as in Ochamchire and Tkvarcheli, where the overwhelming majority of schoolchildren are from the ethnic Georgian population, leading thereby to a full loss of access to education in the Georgian language.

44. The Georgian authorities reiterated to the delegation that they consider such practices to be discriminatory and, more generally, to impair the quality of education. They drew attention to the fact that Abkhaz, Armenian and Russian schoolchildren in the equivalent grades received education in their mother tongue. It was underlined therefore that this question should not be regarded in isolation from other impediments faced by the population in the Gali district. For its part, the Georgian central government continues to run qualification training-programmes for Georgian teachers as well as various form of material support to the schoolchildren from Gali.

¹¹ Status of internally displaced persons and refugees from Abkhazia, Georgia and the Tskhinvali region/South Ossetia, Georgia, Report of the Secretary-General to the UN General Assembly, seventy-first session, 3 May 2017.

45. More generally, it was emphasised to the delegation that lack of access to quality education represents a general problem of inadequate capacities and skills extending beyond the Gali district.

46. Issues relating to access to education continue to be raised in the framework of the GID (Working Group II) and IPRM. Moreover, international efforts and resources have been mobilised to develop local capacities in mother tongue based multilingual education as a viable and inclusive alternative to address the needs of different ethno-linguistic groups. The international interlocutors underlined to the delegation the need to support such initiatives.

47. As regards freedom of movement of schoolchildren, the existing downward trend with respect to school attendance of Gali schoolchildren in central government-controlled territory appears to be further aggravated by the recent closure of the crossing points on the ABL. The delegation was informed that the numbers of schoolchildren who cross the ABL is in steady decline.

III.2 Reports on South Ossetia

48. No major changes are reported in respect to the overall security situation from the previous reference period. To be noted, in June the *de facto* parliament in Tskhinvali approved the agreement signed on 31 March, paving the way for the inclusion of certain local armed units into the military of the Russian Federation.

49. So-called "borderisation" activities along the ABL were regrettably continued throughout the reporting period. In particular, the placement of "border" signposts continued to trigger controversy as illustrated by the heightened rhetoric on different sides after media reports that such an installation was placed inside territory controlled by the Georgian central government on 4 July. While such reports are not always confirmed, the placement of signposts is a source of potential tension.

50. The so-called "borderisation" process and the resulting obstacles on freedom of movement continue to have significant human rights and humanitarian repercussions on the daily lives of the local population, as well as significant security related consequences. There are also concerns related to loss of access to agricultural land and other types of livelihood, but also property, education and healthcare, exacerbating the existing socio-economic hardships of the conflict-affected communities. The Georgian central government, as well as the international community, has continued to condemn the so-called "borderisation" in the strongest terms. More recently, the opposition and civil activists have also held peaceful protests against this process in the vicinity of the ABL.

51. At present, the majority of people who commute through the ABL with South Ossetia reportedly do so through the Mosabruni/Odzisi crossing point to the Akhlagori district, overwhelmingly inhabited by the ethnic Georgian population. A second crossing point in the vicinity of Ergneti village reportedly serves for emergency medical crossings and the release of detainees. According to information provided to the delegation by the Georgian authorities, the Perevi/Kardzmani and Perevi/Sinaguri crossing points in the Sachkere district are also operational while being used mostly by the local population.

52. It was reported to the delegation that an average of ten detention cases continue to occur on a monthly basis, although this figure is understood to include only ethnic Georgians who are subsequently handed over to the Georgian central

government. They are locals who cross intentionally or unintentionally for purposes related to livelihood activities as well as family contacts or visits. As already reported, in the majority of the cases, they are released after paying a "fine" for "illegal border crossing" or violation of the "border zone regime" through the activation of the hotline and IPRM.

53. While this practice is reported to remain in place, in meetings with the delegation, the Georgian authorities and international interlocutors reiterated concerns about the case of a Georgian IDP from the Gori district who after being apprehended in June 2016 in relation to "illegal crossing", was handed down a sentence of 20 years in prison on 3 February 2017 on different charges. He remains in detention in Tskhinvali.

54. As regards identity and travel "documents" of the ethnic Georgian population in the Akhagori region, over 4,000 temporary "travel permits" remain in use in addition to some 1,000 South Ossetian "passports". More generally, the question of the future legal status and local integration of the Georgian population in Akhagori remains largely unresolved.

55. The delegation was informed that as of 1 September, the six remaining Georgian schools (out of 10) in the Akhagori district would switch to South Ossetian "curricula standards" and adopt Russian as the language of instruction in grades 1-4. In these grades, Georgian would continue to be taught as a separate discipline. The Georgian authorities expressed to the delegation strong concerns about the announced changes, indicating that they followed the same pattern observed in Abkhazia. It is reported that a total of 30 schoolchildren study in grades 1-4 in the six schools.

56. Following the delegation's visit, the Georgian authorities have also raised serious concerns about the reported demolition of some 268 houses belonging to Georgian IDPs and refugees, in the Eredvi village, situated in South Ossetia.

57. The meetings of the IPRM in Ergneti co-facilitated by the OSCE co-chair of the GID and the European Union Monitoring Mission (EUMM) continue to take place regularly. The most recent, the 81st meeting, was held in Gali reportedly in a constructive and business-like atmosphere with talks concentrating on detention cases, missing persons, military activities and the impact of the so-called "borderisation". The Mechanism is valued for enabling all participants to engage on security and other concrete matters of concern in order to contribute to a stable situation on the ground.

III.3 The situation of Internally Displaced Persons

58. During the period under review, no progress could be reported as regards the voluntary, safe, dignified and unhindered return of internally displaced persons (IDPs) and refugees on the basis of internationally recognised principles.¹²

59. On 1 June, the UN General Assembly passed for the tenth consecutive year a resolution reiterating the right of return of all displaced persons and refugees irrespective of their ethnicity, by a vote of 80 in favor to 14 against, with 61 abstentions. Several abstaining countries argued that the resolution might prejudge an agreement under the GID agenda. Some GID participants did indeed continue to raise

¹² According to a report by the UN Secretary General, quoting figures from Georgia's Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees, as of 1 January 2017 there were 273,765 individuals registered as IDPs.

strong objections to discussing this issue in other international venues, and have responded by declining to hold substantive discussions on the matter in the GID Working Group II.

60. In the absence of conditions conducive to return, the Georgian government continued to provide IDPs with alternative durable solutions in terms of housing and improvement of socio-economic conditions, under its Action Plan 2017-2018 and the State Strategy. It also implemented a number of training and information programmes while providing small scale financial support with a view to facilitating access of IDPs to livelihoods. Notwithstanding these efforts, serious challenges remain due to the scale of displacement.

61. In June 2017, the UN Special Rapporteur on the human rights of internally displaced persons Chaloka Beyani acknowledged the considerable progress made by the Georgian government in respect of durable housing solutions. He however called for greater efforts to provide IDPs with access to employment and livelihoods, notably by integrating their needs into national, regional and local development plans and initiatives that are sensitive to displacement issues. The Special Rapporteur also recommended that the Government reviews its approach to addressing internal displacement and find other ways of supporting IDPs that allow for ending the "*internally displaced person status*" and the inheritance thereof, in line with international standards.

62. The MRA informed the delegation that work was underway on the long-awaited revision of state assistance to IDPs on the basis of a needs-based approach. The relevant draft changes to the Law on IDPs have been submitted to the parliament and policy options have been prepared and consulted with all stakeholders. Importantly, the Ministry indicated that feedback from IDPs was positive suggesting a majority support for the reform.

IV Activities of Council of Europe organs and institutions and their follow-up

IV.1 Parliamentary Assembly of the Council of Europe

63. A report on "*Addressing the humanitarian needs of internally displaced persons: recent lessons and future challenges in Europe*" is currently under preparation in the Parliamentary Assembly's Committee on Migration, Refugees and Displaced Persons (Rapporteur: Mr Killion Munyama (Poland, EPP/CD)). The Georgian Ministry of Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees has provided information to this end, replying to a questionnaire. In addition, on 2 June 2017, the Committee held a distance exchange of views with organisations working on IDP-related issues in Tbilisi.

IV.2 Operational activities

Youth

64. Seven participants from both Tbilisi and Sukhumi and one participant from Tskhinvali attended the Youth Peace Camp 2017 organised in the European Youth Centre from 30 April to 7 May 2017 in Strasbourg (France). The event is aimed at developing the awareness and basic competences of participants in human rights education, conflict transformation, intercultural learning and dialogue. It also pursues the goal of motivating participants to act as multipliers and peer leaders in peace-

building activities with young people. Efforts to involve young people from Tbilisi, Sukhumi and Tskhinvali will continue in the future. The possibility that one participant from Sukhumi is involved as a facilitator in the activity in 2018 is being considered to guarantee a better continuity.

No Hate Speech campaign

65. The No Hate Speech Movement youth campaign for Human Rights online is implemented in Georgia since 2013 through a National Campaign Committee on the initiative of the Ministry of Sport and Youth Affairs. Attempts have been made at extending the campaign to Abkhazia and South Ossetia (or placing some focus on hate speech in armed conflict) but with limited success.

Eurimages

66. Under the Eurimages Fund, which Georgia joined in 2011, two co-productions with Georgian partners have been supported to illustrate the impact of the conflict in Abkhazia on the daily lives of people. Both co-productions have received multiple awards at festivals.

Internally Displaced Persons

67. The CoE continues to address the situation of IDP women in the framework of the on-going regional project focusing on protection from violence against women, including those with a vulnerable background. On 8 May 2017, the Secretariat and the Government of Georgia held a seminar dedicated to this subject in Tbilisi in order to raise awareness about existing international standards, in particular the Istanbul Convention and to foster exchanges of experiences and know-how among national and international participants.

IV.3 Operational activities on Confidence-Building Measures (CBMs) and their follow-up

(a) Activities organised during the reporting period

68. During the period under review, the Secretariat continued to implement a range of CBMs activities driven by the need to respond to concrete problems affecting conflict-affecting communities and identified jointly with relevant actors. Where possible, follow-up was ensured for a number of previous initiatives. This is essential in order to maintain the mutual trust already established between participants and to retain impact.

69. All activities are closely co-ordinated with the Permanent Representation of Georgia to the Council of Europe, the Office of the Georgian State Minister for Reconciliation and Civic Equality, the UNDP Liaison Mechanism as well as other international actors active on the ground. The Georgian authorities have underlined the special importance of CoE engagement in this respect, as part of wider reconciliation efforts and have expressed a strong interest in its continuation.

CBMs with Abkhazia

70. A seminar was organised in Rome (Italy) from 7 to 9 June 2017, with the support of the Italian Ministry of Culture and the Foreign Ministry to present modern museum management techniques and conservation. Seven professionals from Tbilisi participated

along with seven experts from Sukhumi. A number of proposals were formulated, notably on the possible organisation of a needs-assessment visit to Sukhumi, with the assistance of Italian museum conservation and restoration experts, followed by the preparation of a report on the current situation of museums and suggestions for follow-up.

71. In the framework of the drugs prevention and treatment programme two professionals from Tbilisi and Sukhumi participated in the second module of the 2017 Pompidou Group Executive Training, from 30 May to 2 June in Alicante (Spain). In addition, a third training session on drugs prevention and treatment for 23 professionals from Tbilisi and Sukhumi took place in Lisbon, at the European Monitoring Centre for Drugs and Drug Addiction (EMCCDA) from 25 to 28 April. A strong interest to continue this successful CBMs track is observed.

72. As a follow up to discussions on bilingual education held during the meetings between the Ombudspersons from Tbilisi and Sukhumi, a study visit was organised in Spain in the Basque country on 31 May-1 June. Participants were presented with the local educational model and discussed its relevance for Abkhazia. A follow-up to this activity could take the form of a second study visit along with the elaboration of modern teaching material for the Abkhaz language as well as the review of textbooks used for other minority languages.

73. A training session for psychologists and psychiatrists from Sukhumi working on child victims of violence, including domestic violence, was organised in Venice, on 29 May-3 June. The training was delivered by experts of the same field from Tbilisi and focused on the teaching of skills for interviewing techniques.

74. The presentation of the publications of archives materials relating to 1937-38 repression in Abkhazia, took place in Sukhumi on 4 October 2017 and in Tbilisi the following day. Both events raised considerable interest among the scientific community, decision makers, officials and families of the victims. Copies of the publication were put at the disposal of the representatives of the international community in Tbilisi during the presentation.

CBMs with South Ossetia

75. Regrettably, the stringent environment for international engagement in South Ossetia has prevented the development of targeted initiatives and a meaningful involvement of participants from Tskhinvali in the CBMs programme. The Secretariat nevertheless continued efforts to ensure access for a limited number of participants from South Ossetia to the existing CBMs. The Secretariat notably facilitated the participation of three experts from Tskhinvali on museum management and conservation techniques event organised in Rome (Italy), from 7 to 9 June 2017.

(b) Plans for further action

76. Regarding CBMs with Abkhazia, proposals for several initiatives are currently under discussion with the Georgian government and stakeholders in Sukhumi (via the UN Liaison Mechanism).

77. Strong interest has been expressed in developing activities focused on the protection of rights of persons with disabilities as well as specific trainings on health care issues. Consideration is also being given to expanding CBMs activities in the field of

human rights awareness taking into account the needs and feedback expressed during the meetings of Ombudspersons and civil society representatives from Tbilisi and Sukhumi.

78. At the same time, it is planned to further develop initiatives benefiting psychology and psychiatry specialists working with traumatised children, interpreters from/to the Abkhaz language, historians and museum management professionals along with action focusing on architectural heritage, drug addiction, domestic violence and human rights in prisons.

79. The development of any new activities and the follow up of existing ones depend on availability of prospective funding. In this respect, it is recalled that the CBMs form part of the CoE Action Plan for Georgia 2016-2019.