

Restrictions on the Right to Freedom of Movement in Abkhaz and Tskhinvali Region/South Ossetia



Ganmukhuri. The house that is now beyond the dividing line. The occupation forces restricted the family's freedom of movement

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Introduction

Even though hostilities ended in Abkhazia and Tskhinvali region/South Ossetia years ago, security remains the most important challenge for the residents of these regions. Citizens living in the occupied territories face restrictions on their right to free movement, along with a number of security challenges.

Although both regions are recognized by the international community as parts of Georgia,¹² the central government still cannot exercise effective control in these regions. The Russian Federation, which recognized the occupied territories as "sovereign states" on August 26, 2008,³ is responsible for the processes ongoing in the above regions. Russia has been providing financial⁴ and military "assistance"⁵ to Abkhazia and South Ossetia for years. As a result, both regions have become increasingly dependent on Russia and have been isolated from the rest of the world.⁶

Along with social and economic problems, the obstacles to freedom of movement are worth noting. The problem is particularly serious in the Gali district of Abkhazia and the Akhagori district of South Ossetia. The de-facto authorities create various barriers to freedom of movement of those, who have not left their homes despite the conflict. The barriers include the introduction of so-called documents and unpredictable closure of crossing points. The above further aggravates the situation, as it cuts off the local population from proper health care services, supply of food and drugs and family ties. The period of preparation of the present report coincided with the long closure of the Mosabruni crossing point in Akhagori, which resulted in the humanitarian crisis in Akhagori. Despite the urgent medical need, people were not able to leave Akhagori, which endangered their health and, in some cases, their life.

In both conflict regions, the de facto agencies' border policies represent a heavy financial burden to the population. Preparation of each "document" is related to finances and the lack of these "documents"

¹ [Statement by High Representative/Vice-President Federica Mogherini on the signing of the Treaty on Alliance and Strategic Partnership between the Russian Federation and Georgia's breakaway region of Abkhazia](#), 24.11.2014.

² United Nations, Security Council, [Resolution 1808 \(2008\)](#).

³ [Medvedev Recognizes Independence of Abkhazia and South Ossetia](#), Civil.ge, 26.08.2008.

⁴ [Russian Duma to Consider the Issues of Increasing Pensions for Russian Passport Holders in Abkhazia](#), Netgazeti, 21.07.2015.

⁵ [Russia to Re-arm Abkhaz Army](#), Jam News, 27.09.2018; [South Ossetian Army Starts Turning Into Russian Army](#), Jam News, 15.03.2017; [South Ossetian Army to Integrate with Armed Forces of Russia's Southern Military District](#), For.ge, 28.05.2015.

⁶ [Cost of Conflict - Georgian-South Ossetian Contacts](#), Authors: Dina Alborova, Giorgi Kanashvili, Medea Turashvili, Svetlana Valieva, Vakhtang Charaia, Fatima Jioeva, Sabine Freizer, Sergey Markedov, Cory Welt 2016.

leads to extra costs paid by detainees in return for freedom. Along with these types of arrests, abduction of population is also common in the areas close to dividing lines, especially the South Ossetian dividing line. The persons detained for illegally crossing the so-called border include women and juveniles as well.

The families living immediately along the dividing line have suffered particularly severe material and moral damages. We studied the situation of two families with this problem in the village of Ganmukhuri, Zugdidi municipality. Their right to freedom of movement has been restricted. The Russian military allow only children and a local teacher to move to the Georgian-controlled territory for the purpose of going to school. Artificial obstacles are daily encountered by all settlements near the so-called border. The so-called borderization is also part of the policy of the de facto authorities, which is still going on and can be seen in the unilateral erection of border signs, fences and barbed wire.⁷ The ongoing borderization process deprives the local population of their agricultural lands and pastures, while some of the families have even lost their yards and houses.⁸

Apart from locals, restrictions on freedom of movement were applied to the European Union Monitoring Mission (EUMM) as well in 2019.

On October 24, in the second half of the day, the armed South Ossetian security forces detained members of the EU Monitoring Mission in the Chorchana-Tselisi area.⁹ Following the incident, a hotline was activated and EUMM monitors were released. Under such circumstances, it is important to document and analyze human rights violations and make relevant recommendations.

1. Methodology

The report is based on various methods of gathering and processing information. Due to the current reality, visits could not be made to Abkhazia and South Ossetia and population could not be interviewed. Accordingly, **interviews with local population** were conducted only in the Zugdidi [Ganmukhuri, Khurcha, Rukhi, Orsantia, Shamgona] and Shida Kartli [Zardiaantkari and Gugutiaantkari] villages located near the dividing lines. We interviewed the local population on the following issues: security situation; freedom of movement in the occupied territories; the process of obtaining the so-called documents from the de facto authorities; illegal arrests for crossing the so-called

⁷ [Zone of Barbed Wires - Mass Human Rights Violations along the the Dividing Lines of Abkhazia and South Ossetia](#). Human Rights Center, 2019.

⁸ [Gugutiaantkari - Two Weeks of New Occupation](#). Radio Liberty, 22.08.2019.

⁹ [Unarmed Civilian Monitors of the EU Monitoring Mission - Georgia detained by South Ossetian security personnel](#). EUMM official web site, 24.10.2019.

border; current economic difficulties. Some of the interviews were conducted immediately on the Enguri Bridge, where citizens were crossing the so-called border in both directions. We asked them about the situation in Abkhazia as well. All the trends identified as a result of interviews are part of the report and help us make relevant recommendations. Interviews were conducted with 56 citizens living along the dividing lines of Abkhazia and Tskhinvali region/South Ossetia.

Within the framework of the report, we also requested and processed **public information** from the following agencies: State Security Service, Ministry of Internal Affairs, Office of the State Minister for Reconciliation and Civic Equality, Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs of Georgia, Zugdidi City Hall. The information obtained from the state agencies is reflected in the report, which refers to a number of challenges. A total of 9 letters were sent to the state agencies.

When preparing the report, **cooperation with contact persons** was an important resource of getting information from the conflict zones. Contact persons provided information on: socio-economic problems in the Gali and Akhagori districts, difficulties relating to freedom of movement, procedure/cost of “documents”, illegal arrests for crossing the “border”, problems related to the isolation of Akhagori [closure of the so-called Razdakhani checkpoint in Mosabruni] - access to food, medicines and timely health care, the situation of patients with serious diseases, namely their attempts to move to the Georgian-controlled territories following the isolation of Akhagori, the “trial” of Dr. Vazha Gaprindashvili.

When working on this report, we studied **other thematic documents/studies**. We also conducted daily monitoring of the Georgian and Russian-language media outlets¹⁰ working on issues relating to conflict regions.

2. Freedom of movement in Abkhazia

The National Statistics Office of Georgia has been unable to maintain statistics on Abkhazia for nearly three decades. Accordingly, Georgian official agencies use the statistics of the de facto authorities. We received the statistical information maintained by the de facto agencies of Abkhazia by a letter from the Office of the State Minister of Georgia on Reconciliation and Civic Equality:¹¹

Number of population in Abkhazia¹²

¹⁰ Netgazeti.ge, oc-media.org, jam-news.net, ekhokavkaza.com, kavkaz-uzel.eu, radiotavisupleba.ge, chakhana.org

¹¹ Note: The agency sent the letter without a stamp or signature of a responsible person.

¹² Based on the de facto government’s data.

2011	2012	2013	2014	2015	2016	2017	2018
240 705	241 414	242 028	242 756	243 206	243 564	243936	244 832

Number of population in Abkhazia's districts - according to the 2016 data¹³

Sokhumi, city	64 441
Sokhumi, district	11 513
Gagra district	39 625
Gudauta district	37 922
Gulripshi district	17 973
Ochamchire district	25 458
Tkvarcheli district	16 385
Gali district	30 247

Movement across the conflict regions has always been difficult, but the situation has been particularly tense in Abkhazia since April 2016.¹⁴ The de facto government closed two of its six crossing points along the dividing line - Mujava-Lekukhona and Shamgona-Tagiloni. On March 6, 2017, two more crossing points - Khurcha-Nabakevi and Orsantia-Otobaia - were closed.

Both the Georgian authorities and international community responded to the creation of artificial obstacles to local population's freedom of movement.

"Such a unilateral decision would go against commitments to work towards enhanced security and improved living conditions for the conflict-affected population. Furthermore, it would be contrary to efforts to normalize the situation by creating an atmosphere that is not conducive to longer-term conflict resolution and overall stability in the region," said the spokesperson for the European External Action Service.¹⁵

¹³ Based on the de facto government's data, 2016 data.

¹⁴ State Security Service, letter dated 22.10.2019.

¹⁵ [Statement on recent developments along the administrative border of Georgia's breakaway region of Abkhazia](#), EUMM official web site, 25.02.2017

The US Department of State also responded to the closure of crossing points. “Closing the crossings will further restrict freedom of movement and income for the local population. Such actions not only aggravate the humanitarian situation of the locals, but also erode the public's trust and confidence, hurt the international discussion in Geneva, which is recognized as a mechanism for dealing with the security and humanitarian issues of conflict-affected populations. The United States calls for these crossing points to be re-opened, allowing children to attend school and residents to move freely to engage in commerce, visit relatives, and obtain necessary medical services”,¹⁶ reads the statement released by the US Department of State.



2013, Orsantia-Otobaia crossing point. Photo from Public Broadcaster's TV story. Citizens moving from Abkhazia to the Georgian-controlled territory¹⁷

The closure of crossing points was criticized in the report of the UN High Commissioner for Human Rights as well. The document reads that the closure of crossing points on the administrative boundary line and the so-called borderization prevent locals from exercising their right to movement, leading to restrictions on a number of other rights as well.¹⁸

The closure of the Khurcha-Nabakevi and Orsantia-Otobaia crossing points affected an average of 1000 people,¹⁹ further isolating them and their families.

As of now [February 20, 2020], people can move to Abkhazia through the Enguri Bridge [Rukhi-Chuburkhinji] and Saberio-Pakhulani crossing point, but only women and children have the right to cross the so-called border. Age limit is imposed on men.

¹⁶ [United States Deeply Concerned by Closure of Crossing Points in Georgia's Abkhazia Region](#), official web site of the US Department of State, 06.03.2017.

¹⁷ [Russian Soldiers No longer Let Georgian Schoolchildren to Go to Schools of Occupied Abkhazia](#), Georgian Public Broadcaster, 13.01.2013

¹⁸ [Report of the United Nations High Commissioner for Human Rights on Cooperation with Georgia](#), 17.08.2017

¹⁹ [Statement of Niels Scott, Resident Coordinator, on behalf of the United Nations Country Team regarding announced closure of crossing points along the Enguri River](#), 26.01.2017

The closure of the so-called borders is hard to predict. At this stage, even movement through open crossing points is restricted periodically. The last restriction was unexpectedly imposed on November 22, 2019.²⁰ A few hours before the closure of the Enguri Bridge, two people were killed in the center of Sokhumi at 2:30 pm local time on November 22.²¹ Restrictions on movement was explained by the above murder. According to the Democracy Research Institute, in addition to the afore-mentioned circumstances, the restriction also served as a source of "obtaining more money" from the population.

"The bridge was closed again because of the murder on the seaside of Sokhumi. Currently only women and children can move [to the Georgian-controlled territory]. On the first day, men paid 3000-5000 rubles to be allowed to move [to the Georgian-controlled territory]. In addition, some people managed to cross the bridge in the evening for 3000 rubles. They say the "border" will not be opened until the New Year, as thus they make more money. On New Year's Eve, people need to move more actively."²²

The closure of the so-called border was preceded by two-month restrictions on movement imposed by the so-called Security Service of Abkhazia in January 2019. In particular, the de-facto agency then stated²³ that it was necessary to close the "border" for two months due to the mass spread of H1N1 virus in Georgia. The crossing points of Abkhazia were closed in June 2019 as well. The de-facto government named the protests of "provocative nature" held in Georgia as the motive.²⁴ The restriction was lifted only on November 2, 2019.

2.1 The issue of "documents" in Abkhazia and arrests of citizens for "illegally crossing the border"

The de facto agencies require locals to present various so-called documents in order to pass crossing points or to live in Abkhazia. Namely, locals are required to have: so-called "propusk" (pass), form #9, Abkhazian passport and residence permit.²⁵ The Democracy Research Institute obtained information from the conflict regions on the cost and procedures for getting each of the above documents.

Movement is problematic in the Gali district. The majority of population does not have relevant "documents", which are related to many, mostly financial problems. A lot of families try to get documents first for a family member who has health problems. For this, one person needs at least 5 000 rubles. That is why the residents of Gali say that they are perceived as "Russian rubles".

²⁰ [Passengers Restricted from Moving from Occupied Abkhazia to the Rest of Georgia](#), Livepress, 23.11.2019

²¹ [Abkhazian media reports that masked men shot civilians in Sokhumi](#), Livepress, 22.11.2019

²² Organization's contact person [2019, November]

²³ [A restriction has been introduced on crossing the state border with the Republic of Georgia for 2 months](#), website of Abkhazia's de-facto Security Service, 11.01.2019

²⁴ [Crossing the state border between Abkhazia and the Republic of Georgia restricted for two months](#), website of Abkhazia's de-facto Security Service, 27.06.2019

²⁵ State Security Service of Georgia, letter of 22.10.2019

Movement across the Gali district requires an Abkhaz passport, which is possessed by few people,²⁶ as well as form #9, which must be extended and certified every month, which is also related to costs. In addition, possession of “Вид на жительство” (residence permit) is also necessary. The form #9 and documents necessary for getting the residence permit are issued by the village administration. For this, the following is required: a document from the place of residence, which costs 500 rubles;²⁷ 2. residence certificate, which also costs 500 rubles; 3. form #1, which contains passport information of family members and costs 500 rubles; 4. one photo for form #9 (100 rubles²⁸); and 5. one photo for residence permit document (100 rubles). Locals also have to pay 500 rubles for filing documents. 1650 rubles are officially to be deposited in a bank for getting the residence permit. It takes an average of two months to get a residence permit. Every village has a specific day for filing documents, which is another source of corruption.²⁹

The above information has been verified with several sources. We were additionally told that documents were issued under "humiliating circumstances." "A number of documents are to be collected for getting the form #9: documents from the local administration, water, electricity and waste bills. Population have to tolerate abuse and ridicule when trying to get each of the documents. Sometimes it takes several weeks to collect the documents. It is also expensive to officially file them and therefore, this is a huge burden on people with no permanent income,"³⁰ says our contact person from Gali.



Police station in Gali. Ethnic Georgians standing in a queue for getting residence permits. Information/photo courtesy: Chai-khana.org

²⁶ [According to the de facto authorities, 563 so-called Abkhaz passports were issued in the Gali district in 2019.](#) Livepress, 24.08.2019

²⁷ About 8 usd

²⁸ About 1.62 usd

²⁹ Organization's contact person in Abkhazia, information received on October, 2019.

³⁰ Organization's contact person.

A 58-year-old woman from Lekukhona (a village in the Gali district) says she has been waiting for a residence permit for two years. However, even if she gets this document, she will not be able to enjoy even basic rights in Gali. For example, she will not be able to buy a house or become an owner of other real estate, or go to "polls". She says that she, together with her three family members, has been standing in the queue for a residence permit for more than two weeks, from early morning to late night.³¹

In 2017-2018, a total of 10 332 applications were submitted for residence permits and 4 528 of them were granted. Movement with a Soviet passport was finally banned on August 2018, while movement with the so-called old Abkhazian passport was prohibited on January 2019. Since 2019, movement across the Enguri Bridge has been allowed only with the so-called new Abkhazian passport, form #9 or residence permit, while persons under the age of 14 years are required to present a birth certificate. Movement is also allowed with Georgian passports for those who have a permit to enter the territory of Abkhazia (so-called visa).³²

The "offer" relating to the change of last names can be considered a part of the policy of occupational forces, which became particularly active in the summer of 2019. Sokhumi offers the so-called citizenship and new passports to the Georgians residing in Abkhazia in case of accepting Abkhazian last names. The de facto authorities describe the above as a process of returning original Abkhazian last names to "Megrelians".

A Gali resident, who did not wish to be identified for security reasons, told LivePress in a telephone conversation: "I was offered to remake my last name, but I told them I would not do anything inappropriate that would offend my offspring. I will never do this, but there is a category that agreed to it and they are quite a lot. They will receive a passport indicating Abkhazian as their ethnicity and they think that they are a step ahead us. If you are Abkhaz, you have more influence, you have more value and that's why they do it."³³

According to the Council of Murzakani Abkhazians, a public organization operating in Gali, more than 400 residents of Gali reclaimed their Abkhazian last names.³⁴ The Abkhazia Inform quoted Deputy Chairman of the Council, Edisher Zukhba, as saying that 900 people had applied to the Council to reclaim Abkhaz last names within five years after the foundation of the organization.

At the same time, people are still arrested and kidnapped for illegally crossing the so-called border, including on the Georgian-controlled territory.

³¹ [Fear and uncertainty: how Georgians live in Gali](#). Chaikhana, 09.10.2019

³² Public Defender's Report on the Situation of Human Rights and Freedoms in Georgia, 2018

³³ [Abkhazian last name for more rights?](#) Livepress, 26.07.2019

³⁴ More than 400 residents of the Gali district restored their old Abkhazian last names, Abkhazia Inform news agency, 24.07.2019

According to the official data, the length of the occupation line in the direction of Abkhazia is about 145 km and the total length of fences, barbed wire, ditches and trenches illegally arranged by the Russian occupation forces is 48 km. The illegal "borderization" is reported in the vicinity of the villages of Gali district: Pichori, Otobaia, Nabakevi, Tagiloni, Dikhazurga, Saberio and Lekukhona.³⁵

The Russian military forces detained 52 persons in 2017, 28 - in 2018 and 26 - in 2019, including 10 women and 14 juveniles in 2017, 1 woman - in 2018, and 2 woman and 2 juveniles –in 2019, for illegally crossing the so-called border in the direction of Abkhazia. According to the Georgian Security Service, the total number of persons detained for illegally crossing the so-called border, who were identified by the Georgian authorities, amounts to about 10-15% of the total numbers.³⁶

There are also data from the Russian Border Guard Service, according to which, the number of detainees in Abkhazia was 14 000 in 2009-2016.³⁷

According to the locals living along Abkhazia's dividing line, several arrests took place on the Georgian-controlled territory. According to one of the detainees, locals' cows often used to go in the direction of the dividing line from a village located along Abkhazia's dividing line and were often found stuck in the barbed wire fences. Once, when cows got lost again and he went to search for them, he approached the barbed wire, though did not cross it. As he could not find the cows, he went back, but four armed men pursued him. They caught, handcuffed and took him to Gali. He then paid a fine to be released.

According to one of the persons detained along Abkhazia's dividing line, his trial was held in Gali in the Russian language. He did not ask for an interpreter, as he could fluently speak Russian. However, he was not "asked anything at all" at the trial.

In September 2015, a pregnant woman was arrested when trying to move from Abkhazia to the Georgian-controlled area for medical care.

"We left at 5:00 am. We walked about 7-8 kilometers. We did not notice how we approached the border. They were there and arrested us. They told us that the area was not under their control and could not let us go there. They took us to a temporary detention facility. The more were arrested, the sooner they were transferred to the facility. We were seven people, including children. They gave us neither water, nor food. We were in the underground tunnel and I felt bad. They took us to Gali by 12:00. We had to pay a fine – to convert it into the Georgian currency, about GEL 120 per person for locals, while those living in other districts had to pay more. The case could even go to the Sokhumi court." After the arrest, her health condition deteriorated: "I was suffering from hypertonus. I had been

³⁵ State Security Service, letter of 22.10.2019

³⁶ State Security Service, letter of 22.10.2019

³⁷ Public Defender's Report on the Situation of Human Rights and Freedoms in Georgia in 2016, published in 2017.

feeling very bad for two days. There was no window or enough air. The height of the room was 4 meters, with only light coming through a little hole. We had neither a mattress. The floor was normal, but they didn't give us a blanket or anything else."³⁸

Arrests of citizens for illegally crossing the “border” still occur on the Abkhazian dividing line.

2.2. Education under restrictions on freedom on movement - Abkhazia

Although it is not the goal of the report to study information about the educational process in the Gali district, we think it is necessary to understand the impact of restricted movement on access to education.

The tightened control on dividing lines over the years has significantly reduced the number of students living on one side of the dividing line and going to school on the other side. In 2015-2016, 5 children used to move from the village of Khurcha of Zugdidi municipality to the village of Nabakevi of Gali district, 4 children - in 2016-2017 and none - in 2017. In 2015-2016, 15 children used to move from the village of Otabaia of Gali district to the village of Ganmukhuri of Zugdidi municipality, 17 children - in 2016-2017 and none - in 2017-2018.³⁹

A small number of children changed school and they now go to Gali schools, while most of children stay with their relatives in the Georgian-controlled territory and go home only on weekends, if possible. Situation is similar in kindergartens. 11 children from the village of Nabakevi of Gali district were registered in the kindergarten of the village of Khurcha of Zugdidi municipality in 2016 and only two - since September 2017, who use to stay in the village of Khurcha together with their parents for the whole week. It should be noted that there is no kindergarten in the village of Nabakevi any longer. The situation is similar in the kindergarten of the village of Orsantia, Zugdidi municipality, where five children used to go from the village of Otabaia of Gali district in 2016 and none - since September 2017.⁴⁰

Restrictions on Georgian-language education were introduced in the schools of the Gali district in 1995 and were implemented gradually. Education in the Georgian language was banned simultaneously in 11 schools of the villages located within real, pre-war boundaries⁴¹, while in 9 schools of the so-called upper zone of the Gali district, the "first grade principle" (introduction of Russian-language education

³⁸ [Barbed Wire Zone - Mass Human Rights Violations on the Dividing Lines of Abkhazia and South Ossetia](#), Human Rights Center.

³⁹ [Special Report of the Public Defender of Georgia: Impact of Closure of Crossing Points on the Rights Situation of People Living along the Dividing Line of Abkhazia](#), 2017.

⁴⁰ Information provided by the administration of kindergartens to the Public Defender's Office, 09.11.2017.

⁴¹ In 1994, Abkhazians integrated several villages of the Gali district with the district of Ochamchire and the newly established district of Tkvarcheli, while the rest of the district was divided into the so-called lower and upper zones.

for first graders) was introduced⁴² and transition to the Russian-language education ended in 2004-2005.

The occupation forces have not yet been able to introduce Russian-language education in the so-called lower-zone schools of the Gali district, probably due to lack of resources. These schools fell under the de facto administration of Gali only in 2006⁴³ and have since unofficially been under "dual-jurisdiction" - on the one hand, they are subject to the de facto education service of the Gali administration and on the other hand, they are subject to the Ministry of Education and Culture of the Autonomous Republic of Abkhazia (dispalced). The de facto agencies had never officially permitted Georgian-language education in these schools. Russian has always been considered the language of education.⁴⁴

Despite difficulties, the occupation forces have been implementing the above plan since 2014. In elementary grades, first the time intended for the Georgian language and literature was reduced by 4 hours, while in the following year, full Russian-language education was introduced. According to the same plan, each next grade will study in Russian, and if the situation does not change, the history of existence of Georgian-language schools in Abkhazia for nearly two and a half centuries will end in 2022.⁴⁵

"In recent years, the occupation regime has attacked, in the direct sense of the word, 11 schools of the so-called lower zone, where children had been taught in Georgian. The accelerated introduction of Russian-language education began in these schools from 2015-2016, which will be completed in five years. In addition, the number of hours allocated for the Georgian language as a subject has been minimized (to just one hour). Thus, as a result of the "reforms" carried out by the occupation administration, there is no longer a Georgian school within the pre-war borders of the Gali district," - said Jemal Gamakharia, Deputy Chairman of the Supreme Council of the Autonomous Republic of Abkhazia.⁴⁶

⁴² [Special Report of the Public Defender on the Right to Education in the Gali Region: New Developments and Related Problems in the 2015-2016 Academic Year](#), 2015.

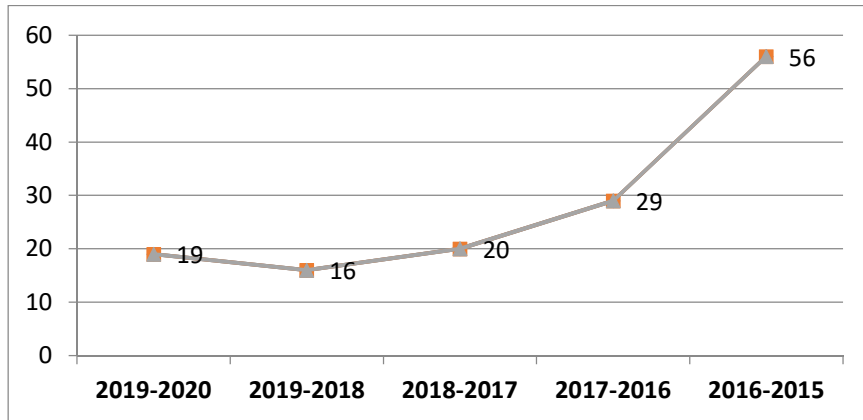
⁴³ Human Rights Watch, [Living in Limbo: The Rights of Ethnic Georgian Returnees to the Gali District of Abkhazia](#), 2011

⁴⁴ See the same source.

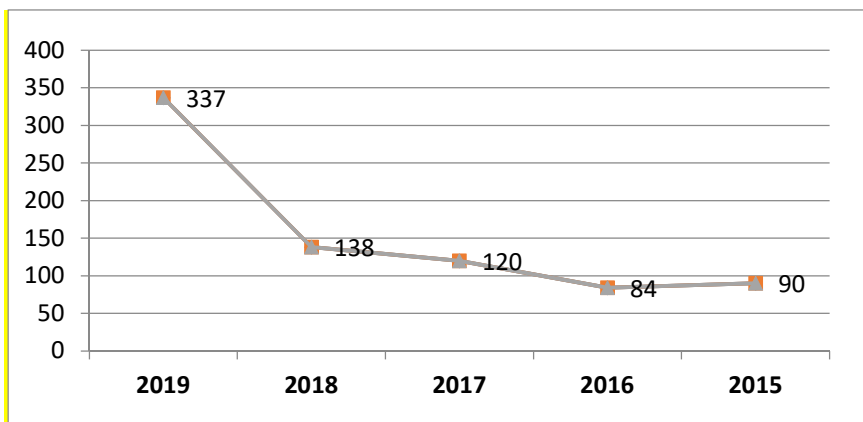
⁴⁵ Georgian Reform Association (GRASS), Policy Paper: Restricting Education in Native Language in the Gali District: In Search of a Solution, by Tornike Zurabashvili, 2016.

⁴⁶ Jemal Gamakharia - Report of the Deputy Chairman of the Supreme Council of the Autonomous Republic of Abkhazia, 26.04.2016

The number of children moving to the Georgian-controlled territory for getting high education



Statistical data on students from Gali district, who were admitted to higher educational institutions in the Georgian-controlled territory



The problem of education is especially obvious when high-school graduates have to pass exams in the Georgian-controlled territory. In June 2019, the media reported about a student living in Abkhazia, who used a bypass road to arrive in Zugdidi for the Unified National Exams and hurt his hand when passing through with barbed wire. The information was confirmed by the Head of the Gali Educational Resource Center, Nona Shonia.⁴⁷

The Ministry of Education of Georgia responded to the problem of free movement encountered by students passing the Unified National Exams in 2019 with a specific decision.⁴⁸ The Minister said that

⁴⁷ [A Gali high school graduate, who was injured while crossing the occupation line passed the exam.](#) Livepress, 02.07.2019

⁴⁸ [According to Mikheil Batiashvili's decision, the high school graduates affected by the closure of crossing points will be admitted to higher education institutions without passing exams.](#) Ministry of Education of Georgia, official website, 24.07.2019.

the high-school graduates, who were not able to take the Unified National Exams or Master's Degree Exams due to the closure of the so-called crossing point on Enguri Bridge, would be admitted to higher education institutions for bachelor/master's degree programmes without passing exams. In addition, the State financed the maximum amount of scholarship for such students.

The decision applied to all applicants (residing in the occupied territories), who had registered for the exam and expressed a desire to study in an authorized higher education institution and whose right had been fully or partly restricted, regardless of their exam results.

In response, in November 2019, the de facto leader of the Gali district, Temur Nadaraia, said⁴⁹ that measures would be taken to stop the outflow of high-school graduates from Gali and Tkvarcheli to Georgia. "160 teenagers left the Tkvarcheli and Gali regions to study in Georgia, while 30 teenagers chose educational institutions of Abkhazia. All our efforts to integrate the region's population are blocked by such decisions of Georgia. We are going to take another measure: the majority of those who choose to study in Georgia have residence permits here, and under the law, the persons, who have a residence permit but have not lived in Abkhazia for more than six months, will be deprived of this permit. We want to tell high-school graduates that they have the right to choose Georgia for education, but they will be deprived of their right to live in Abkhazia but after six months and will have to come here as foreign nationals, with visas. This is one of the measures we are forced to take."⁵⁰

The Georgian government has not yet developed a harm reduction mechanism in response to the above threat.

2.3. Health care under restrictions on freedom of movement – Abkhazia

The periodic closure of crossing points, as well as obstacles to movement (the so-called documents), violates the locals' right to health care. There are frequent cases, when an emergency patient cannot be transported to the Georgian-territory in a timely manner. There are also cases, when patients with special medical needs are transported by a vehicle that has no necessary medical equipments. In 2019, tens of people encountered similar difficulties. We changed respondents' initials below for security reasons.

I.B., a resident of Abkhazia, needed a consultation with a neurologist and brain examination. He could not be transported to the Georgian-controlled territory because he had no form #9.

A.J., who was in need of urinary tract and abdominal ultrasound examination, needed to be transferred to the Georgian-controlled territory due to the absence of this service in Abkhazia. The ambulance

⁴⁹ [Gali De facto Governor: Instead of the Georgian language, we can teach Megrelian in school](#), Netgazeti, 23.11.2019

⁵⁰ [Trade with Georgia - Maintain the army of the enemy, - Temur Nadaraia](#), Nuzhnaya Gazeta, 22.11.2019

took the patient to the Enguri crossing point, after which, he was taken by minivan taxi, as the ambulance "cannot cross" the bridge. The minivan service is not free and obviously it has no medical equipment.

K.O., intoxicated by unknown substance, could not be transported to the Georgian-controlled territory due to the lack of "documents". The citizen only had an old Abkhazian passport.

E.L., who had abnormal uterine bleeding, could not be taken to the Georgian-controlled territory due to the lack of "documents".

S.O. had severe abdominal pain. Even though she had all the necessary "documents", she could not be transferred to Zugdidi, as she needed to be transported at 2:00 am, while the crossing point closes at 8:00 pm.

A.P. (diagnosis - renal colic) could not be transported from the Enguri Bridge, because of non-availability of a minivan that is capable of crossing the bridge. Because of this, the patient was transported through the Pakhulani crossing point. As a result, A.P. had to travel 35 kilometers on a damaged road.

I.G., who was unconscious because of epileptic seizure, was transported from the Enguri Bridge by minivan (which is not free), even though he needed to be transported by a properly equipped vehicle.

Citizen V.C., with a facial trauma and open pelvic fracture, was transported from the Enguri Bridge to the Georgian-controlled area by minivan, during which, medical standards were violated.

Transportation of patients takes about 2-3 hours. The risks associated with transportation increase by the closure of crossing points at 20:00. As a rule, ambulance vehicles cannot timely cross the Enguri Bridge (due to the requirement of agreeing the issue with the so-called border forces of the Russian Federation, which requires additional time), which increases risks. Due to this obstacle, patients with urgent medical needs are transported by minivans without medical equipment. Minivan service is not free and sometimes it is difficult to call the service.

The vehicles and medical equipment of medical facilities of the Gali district are old and need to be updated. There is also outflow of medical personnel, as salaries and working conditions of medical personnel are much better in the Georgian-controlled territory. There is also a need for retraining the medical personnel, especially those working as emergency personnel. The above-mentioned challenges require the attention of the Georgian authorities.

2.4 Citizens living along the dividing line⁵¹ talk about their problems



Citizens going towards the Enguri Bridge via the MIA police post. They do not yet know that the so-called border will be closed in a few hours. November 22, 2019, first half of the day

Citizens wishing to move to Abkhazia gather at the Zugdidi bus station at 8:00 am. Getting to the Enguri Bridge costs GEL 2. Minibuses get instantly filled with people. On average, according to unofficial data, about 800 people cross the bridge daily in both directions. Citizen N.D. (initials changed) says that she had to pay 950 Russian rubles to get the so-called „Вид на жительство“ to live in the Gali district. According to her, the "document" is valid for 5 years, but it does not mean that she can freely move any time. She and other respondents from Gali are most of all concerned about the frequent and unpredictable closure of the so-called border.

“There should be no such restrictions. I will die soon and I am worried about the fact that my child (son) may not be allowed to come down to attend my funeral - he has no documents. What else can I tell you?.. I personally do not live in Gali [names a village] with fear, probably because I am not afraid of death any longer. This year we harvested some nuts...but who would let us bring it here?! We had to sell it there, at a relatively low price, but what can we do?”

⁵¹ The project fieldwork was carried out in November 2019 in the villages of Zugdidi municipality: Rukhi - Enguri Bridge, Khurcha, Orsantia, Ganmukhuri, Shamgona.

“It's not right not to let people freely go to their houses. The government should take care of us! You know, some call us traitors because we live there. And we are not needed in Gali either. What can we do?!” - N.D. [initials modified] told us.

Citizen T.R. [initials changed] talked to us about the restrictions imposed by the de facto agencies. “Now this rule has been introduced. If I don't have the so-called residence permit, my child will not be given a school diploma. They do their best to make us leave Gali. That's why they introduced Russian-language education in schools... many children were unable to go to school and families were forced to move here. We don't feel that anyone cares about us.”

During our presence on the Enguri Bridge, two minibuses went in the direction of Gali and one came from the Abkhaz side. Most of the passengers were women. Those, who we were able to talk to, emphasized that restrictions on movement were the biggest problem. They added that they often could not see their family members, receive medical care or pensions only due to the closure of the “border” by the de facto agencies for no reason.



Enguri Bridge. Citizens moving to the Georgian-controlled territory. November 22, 2019, first half of the day

“You can see how many people are moving. We have a house there, we have no other place to live in. Or how can we leave our house? However, when we go there, we leave our relatives, children here. What I want to say is that this is torture for us! I am not talking about politics, politicians are not worried. We, poor people without teeth, are suffering,” - said citizen N.G. [initials changed].

The passengers gathered at both Zugdidi bus station and the Enguri Bridge in the morning of November 22 did not yet know that the Bridge would be closed in just 4-5 hours.

Restrictions on movement have painful consequences for the citizens of Abkhazia. They are prevented from moving freely, having timely access to health care and social services, or maintaining family ties. Those living in the Gali district are under constant fear and uncertainty due to restrictions. Respondents have a feeling that the central government of Georgia does not pay proper attention to them. They are also worried that there are two extremely different public opinions about them. According to one of the discourses, they are "traitors" and according to another publicly declared attitude, they are "heroes", who do not leave their homes and the Gali district despite many obstacles.

Khurcha, a village in Zugdidi municipality

According to the 2014 census, 535 (264 men, 271 women) live in the village of Khurcha.

Some of the residents of the village located along the dividing line have not been fully compensated for the damage caused by the hostilities. Their rural life has radically changed after the closure of the Khurcha-Nabakevi crossing point in 2016,⁵² leaving 40 locals unemployed, as they had been working as taxi divers and serving the citizens arriving from Nabakevi. The closure of the crossing point also resulted in the shutdown of dozens of small businesses in Khurcha.



Khurcha. The distance between the Russian military observation post and the house of a local resident is just about 100 meters. There is no Georgian police post on the Georgian-controlled territory of the so-called border in Khurcha.

⁵² [The so-called checkpoints has been closed in the Gali district - Official Tbilisi awaits reaction from the international community.](#) Georgian Public Broadcaster, 03.05.2017.

What Khurcha does not lack today is the Russian military observation posts. The distance between the rural population and these posts is just several meters. There is no Georgian police post on the Georgian-controlled territory of the so-called border in Khurcha.

“My house has been twice used as headquarters by our Georgian military forces. As a result, it became a victim of shoot-out. All the walls of the house were hit and cracked by shells. Commission has arrived many times and they reported in writing that this building was not safe to live in. The previous Public Defender was also involved in the case. He did what he could, he sent a lot of letters about us, but we still have not received any compensation. We do not ask much, we want our house to be reconstructed if it is possible, or help and rescue us otherwise. We also want that a list be made, or something like that, so that people who buried their relatives in Nabakevi [a village bordering Khurcha, outside Georgia’s control] had the opportunity to go there and take care of graves at least on holidays,” said local L.P. [initials changed]. L.P., who lives in Khurcha, has other problems as well. Her husband was killed by occupation forces in the village during hostilities. Despite having all relevant documents, the family cannot receive the assistance intended for the families who have lost their breadwinners.



Khurcha. All the walls of the house were damaged as a result of hostilities, auxiliary buildings were burned down. The trace of holes dug in the yard by the military for defense, as well as bullet holes on the iron gate, are still visible.

Other locals also speak about the damage suffered by the village as a result of the closure of the Khurcha-Nabakevi crossing point. They say the youth abandoned Khurcha after the closure of the crossing point. “Taxis were not the only source of income. Resellers used to bring goods in Abkhazia, including some household appliances, which required physical strength and our young people used to help them and work. Now the village is left without the youth, as there are no employment opportunities,” locals say.

Today Khurcha is served by one bus, which departs twice a day [at 9:00 and 12:00]. The transport is municipal and the fare is partly funded by the budget, so locals have to pay only GEL 1. However, we were told in Khurcha that it is difficult for some citizens to pay even GEL 1. Consequently, the bus driver and the passengers traveling from the village to Zugdidi often have a list given by their neighbours, who ask them to bring some medicines and food for them. Locals say that they have a "hard-working and good" driver, but the bus is out of order and needs to be repaired at least five times a month. Locals say they don't ask for blue buses, they just want one well-functioning bus.

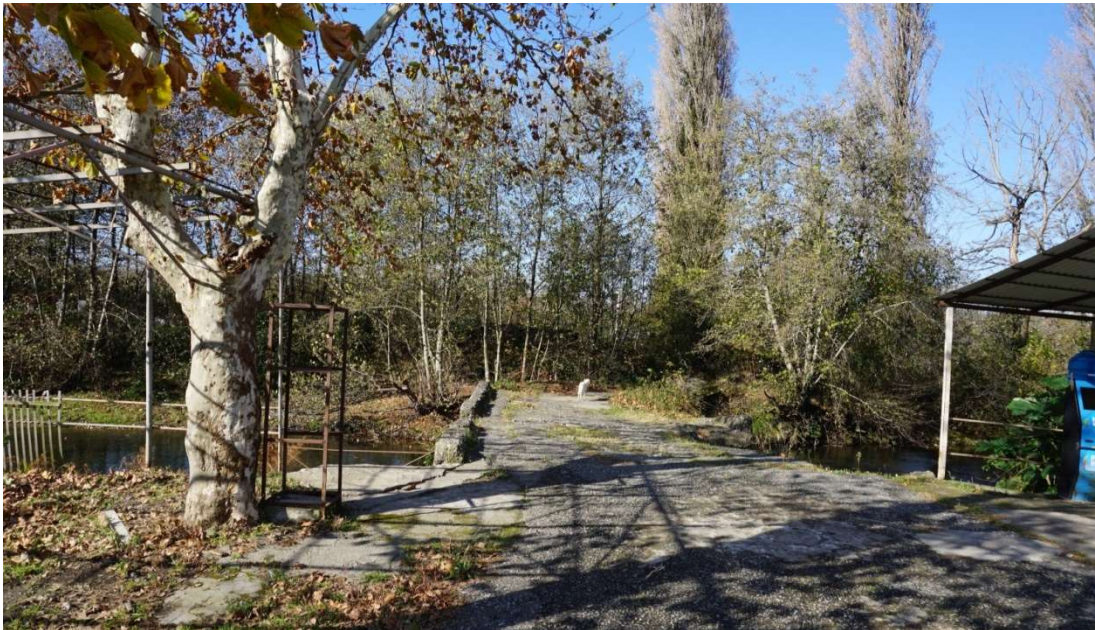


Khurcha, “bus cemetery”. Most likely, the only functioning yellow Khurcha-Zugdidi bus will also join these buses soon. According to the locals, the vehicle constantly needs to be repaired.

“The village has no transport other than this bus. We all depend on it. At one point, its removal was also being considered. We were told that only 3-4 people had been using it. Yes, it does happen, but this 3-4 person have a list of tasks given by other residents of the village. Families often find it difficult to pay even GEL 1 and they ask their neighbors to bring medicines and food for them. Our driver is also given a list and he does whatever he can do. The bus has problems about 5 times a month. Previous vehicles also had the same problems. You can see here a bus garage, where the predecessors of this bus are stored.”

“Khurcha has no lands, pastures - all the pastures we had now belong to Nabakevi. Consequently, we cannot have livestock here. Those, who have cows, carry them with a rope. One of the things that the State can do for us is to create or support fish or greenhouse farming. Many locals can be involved in it, and given our conditions, this is realistic. The State should also ultimately take care of the families who have not been compensated for the war damage. With the help of GYLA, the village has prepared a lawsuit, but we cannot file it with court, because it costs GEL 3 000 in total,” - the locals say. And these are not all the major problems in Khurcha.

The constantly-endangered village still painfully remembers the murder of Giga Otkhзорia.



The currently closed Khurcha-Nabakevi crossing point. This is a place where Giga Otkhзорia was killed on May 19, 2016. The observation post of the occupation forces is located a few meters away. There is no Georgian police post between them and the village

Giga Otkhзорia,⁵³ 30, was killed at the Khurcha-Nabakevi crossing point on May 19, 2016. He had an argument with armed border guards serving in occupied Abkhazia. In order to avoid conflict, Giga Otkhзорia left the crossing point and headed to the Georgian-controlled territory. However, he was gunned down by Abkhaz border guards, including Rashid Kanji-Ogli, who shot Giga Otkhзорia in the lower limbs and abdomen several times in the Georgian-controlled area. Finally, Rashid Kanji-Ogli shot dead fallen Giga Otkhзорia in his head.

⁵³ [Giga Otkhזורia v. Russia - GYLA sends the case to Strasbourg Court.](#) Tabula, 12.01.2018.

Khurcha, which is currently controlled by surveillance cameras and observation posts of occupation forces, needs attention from both local and central authorities. According to unofficial data, 15 families left the village after losing income due to the closure of the Khurcha-Nabakevi crossing point.

During the preparation of the report, we addressed the Zugdidi City Hall with a letter. The agency wrote us back and promised that the municipality would purchase new buses in 2020 and would transfer one of them to Khurcha.

Ganmukhuri, a village in Zugdidi municipality

Residents of the village of Ganmukhuri, which is located near the dividing line, are most of all concerned about security and economic problems. Ganmukhuri borders the occupied village of Pichori. Occupation has affected the lives of all families here, though two families have been affected the most. Their houses are now beyond the dividing line, outside Georgia's control. We could not talk to these families. If they leave their yard, the Russian military perceive it as crossing of the so-called border. The Russian military patrol in a nut orchard near the houses several times a day. They have just had another tragedy - they lost a family member.



Ganmukhuri. The house that is now beyond the dividing line. Russian military forces restrict free movement of this family.

“We learned about the tragedy of the Sajaias’ family, but we could not go to their house to offer them sympathy. So we stood near the gate, the door was open and we could see the dead. We thus offered our sympathy. The family wanted to bury their family member here, but they were not allowed to do so. Namely, they were not allowed to open their own gate, so the body of the dead person was transferred through the Enguri Bridge,” - says local I.D. [initials changed], adding that only children

are allowed from that family to move to the Georgian-controlled territory as they go to school on this side of the border.

The situation is similar in the second family too. The only difference is that the Russian military forces placed concrete structures between the house and the Georgian-controlled territory.



Ganmukhuri. The house, which is now beyond the dividing line. The Russian military restricted the family's free movement. Today, only children and one member of the family, who is a teacher, have the right to move to the Georgian-controlled territory and then return home. We were not able to talk to this family either.

A Georgian police post is located near the families, just a few meters away. People in Ganmukhuri say that some of the families living along the dividing line would definitely have left the village if there had not been the post.

E.D. [initials changed] recalls the arrest of her husband in Ganmukhuri. “There are no arrests now and this is because we no longer need firewood, we have gas and we do not go anywhere. Earlier, we needed firewood and they used to arrest people. About three years ago, my husband went by horse and cart to collect firewood. He didn't show up for a long time and I went to search for him. I realized what had happened, when I saw his horse and cart abandoned. I had the red passport and went to Gali. He was there in the isolator. He was not beaten, but they were mad at him, as he had being refusing to admit to illegally crossing the border. Later he was released without even paying a fine,” says local E.D.

In addition, according to locals, their cows often cross the so-called border, but they found a solution. Almost everyone has a relative in the village on the other side of the dividing line, so they call them and ask them to send the cows back. One of our respondents says that he thus makes his cow come back at least once a month.

The village has economic problems as well, despite the arrival of tourists in summer. Residents of Ganmukhuri say that many families were deprived of social assistance. According to one of the respondents, the State deprived him of assistance only because his family pays GEL 250 for electricity in a year. Distance between this person's house and the barbed wire fence is about 150-200 meters. When asked of whether he felt supported by the State because of such a "location", he said that the only assistance was that his son's tuition fee was funded by the Ministry.

“Yes, the State fully funded the tuition fee, but we also needed money for him to stay in Tbilisi, that is, money for rent and food, which we did not have. Accordingly, my son temporarily stopped studying and went abroad to work. Most of our young people do so, they run away from the village. If we need help in lifting something heavy inside house or in the yard, we won't find a man on the whole street. They have gone to Poland or Turkey to earn something there. We have no employment prospects in the village. The Asian bugs have been eating us for three years, with just little relief this year, but what we have harvested is not enough for winter. Tourists?! Yes they arrive, but you know this is happening only in summer and we do not actually have as much income as everyone thinks we have,” says local K.O.

Residents of Ganmukhuri also complain that locals are not employed on local constructions. They say the involvement of locals in state projects is also low, as certain income is needed to start any kind of business. Consequently, the projects cannot change the life of poor families.

Orsantia, a village in Zugdidi municipality

According to the 2014 census, 2 052 (1,000 men, 1052 women) live in the village of Orsantia. The village is located along the dividing line and borders the village of Otobaia in the Gali district. Orsantia and Otobaia are separated by the Enguri River. There is now a Georgian police post on the Georgian-controlled side, near the ruined bridge.



Orsantia. The bridge connects the village with occupied Otobaia. Movement of citizens is now restricted on this section.

Locals go fishing and collect firewood in the vicinity of the so-called border and, at first glance, nothing unusual is happening there. However, this is not an objective description of the rural life. Orsantia and Otobaia are connected with each other by relatives and friends, who have no "right" to move freely. Local media often reports about the mourners separated by the barbed wire fences.⁵⁴ The life of both villages have changed radically after the war, but this was followed by yet another change after a few years, when the Orsantia-Otobaia crossing point was closed.⁵⁵

⁵⁴ [Mourners seperated by the dividing line](#), Livepress, 09.04.2019

⁵⁵ [So-called Khurcha-Nabakevi and Orsantia-Otobaia crossing points were closed](#), Palitra News, 06.03.2017



Orsantia. Population had been using the bridge before the closure of the Orsantia-Otobaia crossing point.

The closure of the Orsantia-Otobaia crossing point by the de facto authorities further aggravated the economic situation of the local population. Today, locals talk about unemployment and the youth who have gone abroad. According to locals, small businesses should be supported in the village in order to promote employment of locals.

3. Free movement of citizens in South Ossetia

The National Statistics Office of Georgia has not been able to work in South Ossetia, like Abkhazia, for years. Today, Georgian official agencies use the statistics of the de facto authorities. By a letter from the Office of the State Minister of Georgia for Reconciliation and Civic Equality,⁵⁶ we were provided with statistical information of the de facto authorities on the Tskhinvali region. According to the 2015 census, 53 532 citizens live in the region:

The statistics of the de facto authorities on the total number of population of South Ossetian districts:

Java district	6 567
Znauri district	4 531
Akhalgori district	4 209
Tskhinvali district	7 793

⁵⁶ Note: The agency sent the letter without a stamp or signature of a responsible person.

Tskhinvali city	30 432
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People can move from South Ossetia to the territories controlled by the central government of Georgia through the so-called checkpoints of Mosabruni (Akhlagori district), Perevi-Kardzmani (Sachkhere municipality) and Perevi-Sinaguri (Sachkhere municipality).⁵⁷

The Russian military forces periodically close the crossing points on various pretexts. This policy creates significant problems for the local population, limiting their access to medical services, medicines and food. The older population also has problems in terms of receiving pensions, as a result of which, some families are left without the only source of income. The process also impedes access to education. Students studying in the Georgian-controlled territories are victims of the unstable environment. People have to live under the constant fear that the so-called border may be closed.

From September 4 to December 2, 2019, the crossing point of the Mosaburni village of Akhlagori was completely closed. The above was preceded by the establishment of the observation post by the Georgian Ministry of Internal Affairs between the villages of Chorchana and Tselisi in August 2019.⁵⁸ The de facto agencies described the decision as provocative and threatening. Tskhinvali's de facto regime gave Georgia an ultimatum at a meeting in Ergneti on August 29, 2019. The so-called South Ossetian delegation demanded the removal of the observation post and cessation of "provocations" by Georgia. The ultimatum was voiced by Egor Kochiev, who believed that the Georgian observation post was located on the so-called South Ossetian territory. The de facto regime threatened that "the Republic of South Ossetia will take all lawful measures to ensure the safety of population and protection of the border" if the Georgian authorities did not satisfy their request.

On August 31, President Anatoly Bibilov issued an ultimatum: If Georgians do not cancel the police post, it will be forcibly removed. A day later, the President said there would be no military confrontation expected by Georgia.

This situation was chronologically followed by the closure of crossing point near the village of Mosaburni (Razdakhani), Akhlagori, for an indefinite period.

Consequently, residents of the Akhlagori district became hostages of the "Tselisi crisis". The decision turned into a humanitarian crisis. According to media reports, since September 1, Russian border guards had been arriving in the villages and had been warning people that the border would be closed forever on September 3, so those, who did not want to remain in occupied South Ossetia, could move to

⁵⁷ State Security Service, letter, 22.10.2019

⁵⁸ [Construction of Georgian Police Post Completed in Chorchana](#), Imedi News, 30.08.2019

Georgia. As a result, on September 2, a kilometer-long line of cars driving in the direction of Georgia could be seen at the Mosabruni crossing point. About 400 people left Akhagori.⁵⁹

The closure of the crossing point of the village of Mosaburni left locals without vital services. M.M., a resident of the village of Ikoti of Akhagori district, died on his way to a Tskhinvali hospital after allegedly having a stroke on October 28. The patient could not be transported to Tbilisi-controlled territory due to restrictions, which resulted in his death.⁶⁰

The EU Monitoring Mission responded to the incident by releasing a statement. “Such tragic instances show the potential impact of the severe restrictions in place on the freedom of movement for the local population in Akhagori valley. The main crossing point to South Ossetia and the Akhagori Valley - normally seeing around 400 crossings daily - has been totally closed since 5 September. This is depriving local communities of prompt and adequate medical care. It is also affecting livelihoods in other negative ways. The Mission is monitoring these developments closely. To prevent further hardship it is important that restrictions are lifted as soon as possible and for a humanitarian approach to prevail in handling individual cases. The EUMM has made its position clear on these points at recent Incident Prevention and Response Mechanism meetings in Ergneti.”⁶¹

According to the reports spread on November 3, about 60-year-old T.G., fell into a several-meter-deep well. According to eyewitnesses, the victim had multiple bruises on the body and likely sustained fracture. Although relatives demanded that the injured be transferred to Tbilisi, the above could not be done due to the restrictions imposed by the de facto South Ossetian regime. Despite repeated requests of the family, the injured was taken to the Tskhinvali hospital, where some patients have had negative treatment experiences due to the low qualifications of the medical personnel.⁶²

The de facto agencies’ policy relating to the so-called administrative borders have deprived locals of their rights to move freely, get needed/emergency medical services, buy medicines and food. The situation is further complicated by uncertainty, as the de facto agencies traditionally do not say when the so-called administrative border will be opened.

The isolated people are not allowed to interact with their relatives in the Georgian-controlled territory. During previous cases of the closure of the so-called border, citizens were able to cross it for funerals of their relatives, but currently even this is a problem. During the period of isolation, V.Kh., a 50-year-old man died at the local hospital after allegedly being diagnosed with tuberculosis. According to the

⁵⁹ [Slow death of Akhagori residents to save Bibilov's authority](#), Netgazeti, 01.11.2019

⁶⁰ [Another Victim of Occupation - Woman from Ikoti Dies in Tskhinvali Hospital](#), Radio Liberty, 29.10.2019

⁶¹ [EUMM Statement](#), EUMM official website, 24.10. 2019.

⁶² [60-year-old woman fell into a well in Akhagori, she is being taken to Tskhinvali](#), Netgazeti, 03.11.2019

Ekho Kavkaz, neither the relatives of V.K. were allowed to cross the so-called border, nor was the body handed over to them. Residents of the village covered the funeral expenses.⁶³

Residents of Akhlagori report to the media about their problems:⁶⁴

"My aunt died and my father is not allowed to come."

"There is informational vacuum in Akhlagori and anyone disseminating information can be punished in some way. Why? Because there is an uncontrollable situation; this is a "danger of spreading the truth" to them. If a person studies, works or just lives there - this is already a danger. Yes, they intimidate us and prevent us from spreading the truth and this is not news. Now the main thing is somebody to dare and risk speaking out and telling everyone the truth."

"The border may not open, but people need hope. The government doesn't even make them hopeful. Many things may go wrong, but people should at least be hopeful, and even this is a problem."

"As far as I know, there are many oncologic patients in Akhlagori. They undergo treatment and need certain drugs not available here. I would like to recall one case: there was a meeting with an official in Akhlagori, where people arrived with drugs and asked only one question: "We may die if we run out of these medicines and what should we do?" Of course, no one answered that question and no border was opened for them."

"If this situation does not change, some of my acquaintances, whose health condition is difficult, may die."

After the closure of the Mosabruni crossing point, locals have repeatedly met with Vitaly Mamitov,⁶⁵ head of the so-called district administration, to get specific information. However, he provided different information to everyone. He told some people that the so-called border was closed forever, while others were told that the crossing point would open, although they were not told when exactly it would happen. The population of the district met with so-called MP Zaza Driayev as well, but he did not provide any promising information and repeated what the Akhlagori people had heard from others. Locals, being in a desperate situation, sent an open letter to de facto President Anatoly Bibilov on September 10 and asked him to settle the issue. The letter was signed by 242 people, but neither the de facto President nor the so-called local authorities responded.⁶⁶

⁶³ [Who has been blacklisted by KGB?](#) Ekho Kavkaza, 22.11.2019

⁶⁴ ["My father cannot arrive in Tbilisi from Akhlagori for his sister's funeral" – 51st day of isolation.](#) Netgazeti, 25.10.2019

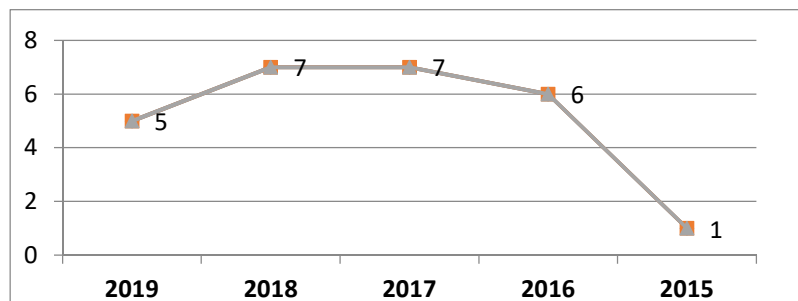
⁶⁵ Information on the contact person of the organization

⁶⁶ [While the President is silent, the district lives with rumors,](#) Ekho Kavkaza, was available on 06.11.2019.

The older and single people, who had been financially assisted by their relatives living in Tbilisi and Tserovani, found themselves in the hardest situation. They had been unable to get their Georgian pension for more than four months. Consequently, they had to buy food from the stores by promising that they would pay later.

Ketevan Tsikhelashvili, State Minister for Reconciliation and Civil Equality of Georgia, assessed the closure of the crossing point. According to her, it is very difficult for the local population to be completely isolated in the Tskhinvali region.⁶⁷ The Co-Chairs of the Geneva International Discussions also responded to the issue and called on the occupation regime to immediately open all crossing points.⁶⁸

In 2015-2019, 26 people living in South Ossetia were admitted to higher education institutions in the Georgian-controlled territory⁶⁹



Restrictions on freedom of movement affected the life of students as well. E.R. [initials changed], a resident of Akhagori, who is studying at one of the institutions in Tbilisi, is unable to go to the institution due to the closure of the crossing point. She has paid part of the tuition fee and does not know how her issue will be resolved after missing so many lectures. N.R. [initials changed] is also unable to attend lectures and is forced to take a year off. One of the high school students cannot go to school either, since she was in Tserovani during the closure of the so-called border.⁷⁰ It should also be noted that nobody from South Ossetia goes to high schools located on the Georgian-controlled territory.⁷¹

⁶⁷ [Ketevan Tsikhelashvili – Closure of the crossing point once again shows that people and their interests do not matter to the occupation regime](#), was available on 01.11.2019

⁶⁸ [Co-chairs of Geneva International Discussions call on the occupation regime to immediately open all crossing points](#), InterPressNews, 06.11.2019

⁶⁹ South Ossetian Administration, data sent by official letter, 11.12.2019

⁷⁰ Contact person of the organization, received on November, 2019

⁷¹ South Ossetian Administration, data sent by official mail, 11.12.2019

On November 22, blacklists emerged in the Akhagori Council building. The lists were named "black" because of its content. The lists contained names of 36 locals, which were refused by the Security Service of the self-recognized republic (KGB) to be granted a pass and thus were deprived of their right to freedom of movement.⁷²

According to media reports, a KGB representative arrives from Tskhinvali in the Akhagori Council every Thursday, collects documents and applications from locals and takes all the papers to Tskhinvali, where passes are granted to those whose "papers were approved", while others are blacklisted. The list is not final and may even be increased when processing the documents.

According to civil activist Tamar Mearakishvili, the first thing one would notice in the list is the age difference – which ranges from 3 and 75: "The list includes, for example, I.E., a local official, Chairman of the Council, as well as a three-year-old B.Z. The girl was denied a pass, but her parents were granted. Pensioner V.K. was also refused for unknown reason, though his/her spouse appears to have been granted a pass. At any rate, he/she has not been blacklisted... The list also includes a high school graduate. His mother was granted a pass, but he has been denied." According to Tamar Mearakishvili, the list is absolutely illogical and contradicts all the previous promises made by the district leaders.⁷³

After nearly three months of isolation of Akhagori, the hope of mitigating the restrictions emerged on December 2, 2019, when the so-called Security Council made a decision to allow those residents of Akhagori, who needed urgent and high-tech medical care, to move to the Georgian-controlled territory through the Razdakhani crossing point.⁷⁴ In addition, the occupation forces said that special conditions would be offered to pensioners, who did not have "South Ossetian/or Russian citizenship and receive their pension only from Georgia". However, the above has not solved the problem of isolation.

According to the organization's contact person, a specific scheme is being developed, according to which, the pensioners, who receive only the Georgian pension, will be able to move to the Georgian-controlled territories once every two months. However, the number of such pensioners is low due to two circumstances. According to the de facto government's decision, citizens of South Ossetia retire five years earlier and the Ossetian pension is in some cases higher than the Georgian pension, as it is paid according to the length of service. In addition, determination of the amount of pension is one of the sources of corruption in the occupied region and an "unofficial price" is to be paid for the appointment of a specific pension.⁷⁵

⁷² [Who has been blacklisted by KGB?](#) Ekho Kavkaza, 22.11.2019

⁷³ Same source.

⁷⁴ [South Ossetian Security Council Meeting Held in Tskhinvali](#), 02.12.2019

⁷⁵ Contact person of the organization, 09.12.2019

“They have finally decided to let the pensioners cross the so-called border, but only those who do not have Ossetian passports, which represents a very low percentage of population. In addition, the above caused dissatisfaction among the rest of the citizens as they feel discriminated, for example, those who have children or students on the other side of the so-called border. It is said that the restrictions are now being perceived even more painfully. In addition, few of the retirees who have Ossetian passports are considering to refuse the Ossetian citizenship and pension in order to be allowed to leave the region. We do not know how this will work, or how long it will take, but it is likely that these people will face problems in the future. In addition, the Ossetian pension is much higher than in Georgia, as its amount is determined according to the length of service. By refusing citizenship, they will never be able to get the Ossetian pension back and it is difficult to say how they will be able to live only with the Georgian pension. However, refusing the Ossetian pension shows how badly they want to arrive in Tbilisi for a few days.”⁷⁶

The crossing points had been closed several times in the past too. Traditionally, crossing points used to be closed during elections or holidays. However, the closure of the dividing line in the direction of Tskhinvali on January 11, 2019, was explained by the spread of the H1N1 flu virus in Georgia, and it was opened only on March 15.⁷⁷ The restrictions affected the availability of food and medicines then too. In the same period, the Transcaucasian highway was also closed for 8 days. Product prices increased both in Tskhinvali and Abkhazia. The local population receiving the Georgian pension or other assistance found themselves in a difficult situation. The employees, who had left the Akhgori district for a short time, had been unable to return to the district for two months and, consequently, they could not receive their payment.⁷⁸

The policy of the de facto agencies relating to the so-called administrative borders deprives the local population of the opportunity to move freely, get needed/emergency medical services, buy medicines and products. The isolated people are deprived of the opportunity to interact with their relatives in the Georgian-controlled territory. And uncertainty further worsens the situation, since, as a rule, the de facto agencies do not specify when the crossing points will be opened.

⁷⁶ Contact person [December, 2019]

⁷⁷ On February 20, the crossing point was opened in one direction for three days and more than 200 people moved to the Georgian-controlled territory.

⁷⁸ Information provided by the contact person to the Public Defender, February 2019.

3.1. The issue of "documents" in South Ossetia and arrests of citizens for "illegally crossing the border"

The total length of the dividing line in the direction of South Ossetia is more than 350 kilometers. Along the dividing line, Russian occupation forces have erected about 53-kilometer barbed wire and fences alongside the villages of Dusheti, Gori, Kareli, Kaspi, Khashuri, Oni and Sachkhere municipalities.⁷⁹

When the crossing points are open, locals are required to present various so-called documents issued by the de facto agencies: "propusk" (pass), form#9, so-called passport and residence permit.⁸⁰

In late December 2018, the Tskhinvali de-facto authorities spread information about changes to the restrictions on movement for citizens with Ossetian passports. The change, which came into force on January 1, 2019, requires persons with so-called Ossetian passports to present an additional special permit to cross the so-called border through the crossing points.⁸¹ However, at present [as of February 20, 2020], residents of Akhagori are not able to move to the Georgian-controlled territory even with all the mentioned documents, due to the closure of the crossing point.

According to the data of 2017, 126 citizens were illegally detained for crossing the so-called border in the direction of South Ossetia, 100 people were detained in 2018 and 86 - in 2019. Those detained in 2017 included 20 women and 2 minors, in 2018 - 19 women and 8 minors, in 2019 - 9 women and 2 minor.⁸² The statistical information of the de-facto South Ossetian Security Committee is different, according to which, 48 people were detained on the dividing line in November 2019. Fewer, 39 people were arrested in October. In addition, according to the Tskhinvali KGB, 27 persons detained in November were charged with illegally crossing the so-called border, while 21 were charged with illegally entering the so-called border zone. 37 of them were fined, criminal proceedings were launched against 3 persons (including Vazha Gaprindashvili, a doctor) and administrative detention was ordered for others. In November alone, the budget of the de facto South Ossetian republic received 118 000 rubles (GEL 5450) from fines.⁸³

Georgian doctor Vazha Gaprindashvili was arrested during the above-mentioned period, on November 9, 2019. Gaprindashvili was detained by Russian military forces for "illegally crossing the border" and was sent to two-month custody. Apart from the international community, Gaprindashvili's arrest was

⁷⁹ State Security Service, letter, 22.10.2019

⁸⁰ State Security Service, letter, 22.10.2019

⁸¹ Public Defender's Report, January, 2019

⁸² Public Defender's Report, April, 2020

⁸³ [Tskhinvali budget received 118,000 rubles from fines paid by persons detained on the dividing line in November](#), Shida Kartli Information Center, 09.12.2019.

responded by his colleagues, who made statements in various countries around the world. Vazha Gaprindashvili was released only on December 28. His arrest was described as a violation of international law by Amnesty International.⁸⁴

The arrest of 4 citizens, including a minor, near the dividing line in the Kaspi municipality on December 7, 2019, has been the most recent case. E.Z. was released on December 10 after his family paid a 5 000-ruble fine. G.Z. was also released after paying a fine. As he told journalists after the release, the juvenile detained together with him had been released after spending a day and a half under illegal detention.⁸⁵

Residents of the villages located along the occupation line say that they can no longer go to the woods as they are afraid of gunmen; so they only collect brushwood on the territory controlled by the Georgian authorities, but they are often followed and detained by the occupation forces. According to the residents of Bozhami, locals are frequently arrested in the forest near Akhmaji.⁸⁶

In November 2019, Z.B., a 28-year-old resident of the village of Kveshi, Gori municipality, was kidnapped while working together with his brother in his own vineyard. The brother managed to escape despite being threatened to be shot, while Z.B. was detained in their own plot of land on a charge of crossing the so-called border and was taken to the occupied territory. The detainee's vineyard borders the occupied village of Artsevi, where a military base of the occupation forces is located. Reportedly, Z.B. was first taken to that base and then to the Tskhinvali isolator. The above was Z.B.'s second detention.⁸⁷

Georgian citizen Genadi Bestaev was arrested near the village of Zardiaantkari, Gori municipality, last November. The Tskhinvali de facto court sentenced him to two years in prison. The occupation forces reported soon after the arrest that Genadi Bestaev, 51, had illegally crossed the so-called border and that 9 grams of marijuana had been seized during his search. His house is located in the village of Zardiaantkari, along the dividing line. His previous arrest was also related to "illegal border-crossing."⁸⁸

The abduction of 37-year-old Maia Otinashvili, a mother of three juveniles, from her own orchard in the village of Khurvaleti, Gori municipality, on September 29, 2018, was especially alarming.⁸⁹ Family members had not had information about the general condition of the detainee for several days. The International Committee of the Red Cross, which is the only international organization remaining in the Tskhinvali region, was able to visit the detainee only on the 6th day. Otinashvili's illegal detention

⁸⁴ [Amnesty International: Gaprindashvili must be immediately released](#), Netgazeti, 22.11.2019

⁸⁵ Mtavari Arkhi TV, [News at 9](#), 10.12.2019

⁸⁶ [Georgian Citizens Still Arrested on the Occupation Line, Radio Liberty, 10.12.2019](#), Radio Liberty, 10.12.2019

⁸⁷ [Georgian Citizen Abducted from Her Own Plot of Land – Tense Situation in the Conflict Zone](#), Radio Liberty, 07.11.2019

⁸⁸ [According to neighbors, family members are taking care of Genadi Bestaev in Tskhinvali](#), Qartli.ge, 13.02.2018

⁸⁹ Eyewitnesses told the Public Defender that masked gunmen violently abducted a citizen from the Georgian-controlled territory, about 50 meters from the barbed wire fence.

lasted for 11 days. The Leningradi [Akhlagori] court convicted her of "illegally crossing the border". She was sentenced to one-year conditional imprisonment and she left prison. Otinashvili spoke to Radio Liberty about her detention. She said that masked gunmen dragged her out of her orchard. She had been held in the Tskhinvali temporary detention facility for 4 days and was then taken to prison. According to Otinashvili, she was interrogated twice while in Tskhinvali. She denied illegally crossing the so-called border, but the persons who abducted her gave different testimonies. Maia Otinashvili was visited by representatives of the International Committee of the Red Cross in prison. As for the video footage released by Ossetian and Russian media, showing her presence in the Tskhinvali prison, Maia Otinashvili said that she did not want to leave the cell, but the prison director asked her to walk in front of the camera so that he could prove that she was alive.

Maia Otinashvili was handed over to Georgian law enforcers at the Ergneti checkpoint, where Georgian sportsmen were also present: former footballer Lado Burduli, President of the Wrestling Federation Tamaz Gegeshidze and freestyle wrestling coach Giorgi Iantbelidze. According to them, informal talks with their Ossetian colleagues made it possible for Maia Otinashvili to return to her family.⁹⁰

Along with citizens, including minors and women, the so-called border policy of the Russian military forces affected the EU Monitoring Mission as well.

Detained members of EUMM and their digital equipment. The photos were released by the so-called South Ossetian State Agency⁹¹



In the second half of October 24, members of the European Union Monitoring Mission were briefly held by representatives of the de facto South Ossetian occupation forces. According to the Mission's press service, the detention was carried out by armed South Ossetian security actors in the Chorchana-Tsnelisi area. Later, representatives of the mission were released.

The case of Tamar Mearakishvili, an Akhlagori-based activist, should be particularly underlined. She was charged for defaming the region's ruling Edinaya Ossetia party and was arrested on August 16, 2017. Four "trials" were held in Tskhinvali, the house of the accused was searched several times, numerous

⁹⁰ [Maia Otinashvili is back to her family; What do wrestlers have to do with this?](#) Radio Liberty, 09. 10.2018

⁹¹ [Georgian special services actively pursue the policy of systemic provocations](#), KGB, so-called state news agency Res, 24.10.2019

interrogations were conducted, but the investigation failed to find any evidence against Mearakishvili. Another case was brought before the court against the activist under an article pertaining to falsification of official documents, awards, stamps and blank papers. The prosecution argued that Mearakishvili had obtained a passport of the de facto republic without renouncing the Georgian passport, which is prohibited.

Due to the above criminal cases, Tamar Mearakishvili's freedom of movement has been restricted.⁹² She is allowed to leave her house, together with her lawyer, only for a trial or interrogation. On July 10, 2019, the de facto Tskhinvali Court dropped all charges against the activist, including the restrictions on movement, but the "Prosecutor's Office" appealed against the ruling to the upper court. Mearakishvili is awaiting more "trials".⁹³

3.2. Citizens living along the dividing line talk about their problems

The creeping occupation deprives more and more citizens living along the dividing line of their access to rural pastures, their own plots of land and orchards.

Residents of Gugutiaantkari in the Mereti community of Shida Kartli municipality told us how they lost pastures and orchards. R.J. and M.K. told us that they had lost plots of land, which was their main source of income, as a result of so-called borderization.

"Before the erection of these fences, we had a hectare of land. We grew corn, beans, onions - we were able to decently earn a living for our families, we depended on nobody. Now there is a border and we've lost our land," - said R.J., a resident of Gugutiaantkari. Another local, N.G. also lost his plot of land located near the dividing line. He says he can't approach it due to the fear of kidnapping.

⁹² As of February 2020.

⁹³ De facto Supreme Court sends Mearakishvili's "fake passport" case back to the first instance, 17.01.2020.



Like Gugutiaantkari, pastures were lost by the residents of the village of Zardiaantkari as well. We saw a number of people in both villages, who carried their cows with a rope. They told us they could not let their cows go to pastures any longer, as they might approach the so-called border.

Since the so-called borderization is an ongoing process, the families lose their homes and plots of land almost every day. Tina Gugutishvili, a resident of the village of Gugutiaantkari, had been watching how the occupation forces were cutting down her apple trees and erecting the so-called border poles instead for two days. About 300-meter-long new fence was erected. The houses of Gugutishvilis and Razmadzes, which were ruined during the war, and their plots of land fell beyond the fence.⁹⁴

"They broke into our district and they are taking it away piece by piece, and you are sitting in Tbilisi quietly, you think this is not your land and you do not care... We are trying to survive. All I think about all the time is how to feed my family," says local Tina Bidzinashvili.⁹⁵

⁹⁴ [Gugutiaantkari - Two Weeks of New Occupation](#), Radio Liberty, 22.08.2019

⁹⁵ [Residents of Gugutiaantkari dismantle their houses burned by Russian bombs](#), itve.ge, 15.08.2019



Shida Kartli municipality: Zardiaantkari village, J.T. shows us his house damaged by hostilities

In addition to the creeping occupation and security problems, the population living along the dividing line have economic problems. Part of the population living along the dividing line in the Shida Kartli and Samegrelo regions has not yet been compensated for the damage caused by war.

4. International human rights standards

Both the Constitution of Georgia and international human rights law recognize the right to liberty and security,⁹⁶ right to private and family life,⁹⁷ right to freedom of movement and residence.⁹⁸

The right to freedom of movement is enshrined in many important international documents. According to Articles 3 and 9 of the Universal Declaration of Human Rights, everyone has the right to life, liberty and security and no one shall be subjected to arbitrary arrest, detention or exile.⁹⁹

Arrest/imprisonment of Georgian citizens for violating the so-called “border regime” in the conflict regions represents a violation of the right to liberty and security.

In the case of *Ilașcu and Others v. Moldova and Russia*,¹⁰⁰ the European Court found a violation of Article 5 [right to liberty and security] of the European Convention for the Protection of Human Rights and Fundamental Freedoms, since the applicants' detention was not lawful, as the judgment under

⁹⁶ European Convention for the Protection of Human Rights and Fundamental Freedoms, Article 5.

⁹⁷ European Convention for the Protection of Human Rights and Fundamental Freedoms, Article 8.

⁹⁸ Article 2 of Optional Protocol No 4 to the European Convention for the Protection of Human Rights and Fundamental Freedoms.

⁹⁹ [Public Defender's Special Study on Arrests on the Dividing Line and Situation of Detainees](#), 2014.

¹⁰⁰ CASE OF ILAȘCU AND OTHERS v. MOLDOVA AND RUSSIA (Application no. 48787/99);

which they were arrested, had not been delivered by a competent court. According to the European Court, none of the applicants had been convicted by the “court” and the sentence pronounced by an authority such as the supreme court of the “Transnistrian Republic” could not be regarded as “lawful imprisonment”.¹⁰¹

The de facto republics of Abkhazia and South Ossetia have not been recognized by international community. Only five UN member states - Russia, Syria, Nicaragua, Venezuela and Nauru - have recognized Abkhazia and South Ossetia. Most of the UN member states do not recognize the de facto Republics of Abkhazia and South Ossetia and consider them integral parts of Georgia. They have not been recognized by international intergovernmental organizations either: the UN,¹⁰² NATO,¹⁰³ the European Union¹⁰⁴ or the Council of Europe.¹⁰⁵ In their resolutions, they refer to the de facto Republics as breakaway regions of Georgia and say that the territories are occupied by Russia. Consequently, the Russian Federation is responsible for the rights violations taking place on these territories.

A report prepared by Thomas Hammarberg and Magdalena Grono¹⁰⁶ on the initiative of the EU Special Representative for the South Caucasus, for the purpose of assessing the human rights situation in Abkhazia, includes an analysis of the situation of Abkhazia’s de facto judicial and law enforcement agencies. The assessment indicates that there is a significant problem of corruption within the de facto judicial system of Abkhazia. According to the report, interviews with many persons concerned showed that the de facto judiciary of Abkhazia is under pressure coming from the social environment dominated by ethnic Abkhazians and the social structure where families act on the basis of deep loyalty. The situation is similar in Abkhazia’s de-facto Prosecutor's Office and law enforcement agencies, which is a problem in terms of realization of individual rights.

According to the report of the International Federation for Human Rights, the courts of de facto countries, including of Abkhazia and South Ossetia, are largely under the influence of the executive government. Accordingly, the said courts cannot be considered as competent courts authorized under Article 5 of the European Convention to make decisions on the arrest or imprisonment of persons.

Detention of people on the dividing lines of Abkhazia and South Ossetia by representatives of de facto and Russian authorities contradicts the principles enshrined in the case-law of the European Court of Human Rights. According to the European Court of Human Rights, when depriving a person of liberty, the principle of legal certainty must be observed. It is essential that the grounds for detention be clearly

¹⁰¹ Same source.

¹⁰² [“UN General Assembly approves resolution submitted by Georgia”](#)

¹⁰³ “Allies reaffirm their support for Georgia at the NATO-Georgia Commission”

¹⁰⁴ “Resolution of the European Parliament on Georgia's Occupied Territories 10 Years After Russia's Invasion of Georgia”

¹⁰⁵ [“The Council of Europe makes a decision on the Georgia-Russia conflict”](#)

¹⁰⁶ Thomas Hammarberg and Magdalena Grono, Human Rights in Abkhazia Today, pages 21-22.

established and that the law be foreseeable, enabling a person to foresee the legal consequences of his/her specific actions.¹⁰⁷

Restrictions on freedom of movement along the dividing lines of Abkhazia and South Ossetia, as well as creation of obstacles by introducing the so-called documents, represent a violation of fundamental human rights, both in accordance with the Constitution of Georgia and the core international human rights documents.

5. Conclusion

Even after hostilities ended, no peaceful or safe environment could be established in Abkhazia and South Ossetia. Although part of the ethnically Georgian population have been able to remain in their homes in the Gali and Akhagori districts, they live under constant fear and uncertainty.

People in the occupied territories, where the systematic and unpredictable closure of crossing points has become a punitive mechanism, are deprived of their right to freedom of movement, due to which, they have no access to timely or proper medical care, have limited access to food and medicines [Akhagori district], are deprived of their opportunity to get education in their native language [Gali district] and are not able to be engaged in stable economic activities.

De facto governments issue the so-called movement documents under degrading conditions, which is an additional source of income for them. Each so-called document is related to a specific charge, as well as additional expenses, which is called "bribe" and is paid by locals for getting a "document" without waiting for it for months. Arrests for "illegally crossing" the so-called border is also a source of making money, including the cases, when citizens were arrested in their own orchards and were taken to an isolator, where they were "judged" and fined. Similar cases are particularly common in the villages along the dividing line of South Ossetia. The Russian military even arrest minors on similar charges. During the preparation of the report, we learned about a few cases, when people were not allowed to mourn the death of their beloved ones or offer sympathy.

The events developed around Akhagori - the complete isolation of the district – show how messy the situation in these regions are, the victims of which are the citizens, who did not abandon their houses despite being fully deprived of their rights.

Apart from the **inhuman** actions of the Russian Federation, the ineffective and inconsistent policy of the Georgian authorities relating the conflict-affected regions is worth noting. Despite a number of health care and education programmes, the Georgian authorities have not fully assessed the risks in the mentioned regions and therefore, no enough response mechanisms have been established. The

¹⁰⁷ [Zone of Barbed Wiires - Mass Human Rights Violations along the Dividing Lines of Abkhazia and South Ossetia](#), Human Rights Centre, 2019

government's efforts are mostly reactive and less productive. Instead of establishing a proactive system or responding to challenges in a timely manner, the government responds only to "sudden fires". The developments around Akhgori showed that the government failed to do anything to relieve the situation of population held in captivity.

If the Georgian government largely follows the direction dictated by Russia with its "policy of silence", the situation of people living in Abkhazia and South Ossetia will further deteriorate. The government's policy should be more sensitive towards this issue and should respond to each new challenge with a new initiative and a decision aimed at compensating for the specific damage.

6. Recommendations

To the Georgian Authorities

- ✚ Due to the difficult human rights situation in Abkhazia and South Ossetia, the efforts of the Georgian authorities should become proactive and action plans should be developed to respond to major risks, including to reduce the damage caused by the closure of crossing points.**
- ✚ To ensure access of residents of the occupied territories to timely and quality health care, a mechanism should be developed to ensure the transfer of patients to the Georgian-controlled territory at any time of the day, if necessary.** The issue of timely transfer of patients to the Georgian-controlled territories, with the assistance of international organizations, should be agreed and negotiated in advance with all parties to the conflict.
- ✚ A humanitarian list of doctors of various profiles should be made, who, if necessary, will be able to safely move and provide medical care in Abkhazia and South Ossetia.**
- ✚ Courses should be developed and implemented for the purpose of retraining the emergency medical doctors in Akhgori and Gali districts.** Steps should be taken to properly equip the medical facilities of the Gali district.
- ✚ In order to stop the continued violations of the rights of residents of Abkhazia and South Ossetia, various legal remedies should be considered, including an opportunity of applying to the European Court of Human Rights against the Russian Federation.**
- ✚ In order to resolve the humanitarian crisis in Akhgori, all international mechanisms should be applied to ensure that the practice of isolation of Akhgori by the occupation forces does not become an acceptable norm.**
- ✚ Along with existing education and health care programmes, special support mechanisms should be established to assist the people living in Abkhazia and South Ossetia and along the dividing line.**
- ✚ Effective steps should be taken to assist the families directly affected by the illegal borderization, including with the help of international organizations, to allow these families to move freely in their own yards.**

- ✚ Adequate compensation should be timely given to the families living along the dividing line for the loss they suffered during the war.

To international organizations

- ✚ It is necessary to systematically monitor situation in Abkhazia and South Ossetia, to prepare relevant reports and to ensure their availability, so that all communities and parties to the conflict could assess and discuss the problems identified by a neutral party.
- ✚ Efforts should be strengthened in Abkhazia and South Ossetia by supporting the programmes/initiatives aimed at protecting fundamental human rights.
- ✚ Efforts should continue to support the civil sector working on confidence-building projects and the media organizations and journalists working on conflict issues.
- ✚ Continue to work actively with the Georgian authorities to develop effective risk-reduction mechanisms.