

Human Rights Council resolution on Cooperation with Georgia Input by the Democracy Research Institute (DRI)

The present report provides information regarding the human rights situation in the occupied regions of Georgia, Abkhazia and Tskhinvali Region/South Ossetia. The report covers the period from June, 2020 to May, 2021.

Access to education in the native language in Gali and Akhalgori districts

The right to receive education in the native language is restricted for Georgians living in Abkhazia and South Ossetia. It is virtually a part of the political agenda followed by the de facto regimes of the occupied territories. This practice is systemic and manifested in actions such as the express prohibition of receiving education in the Georgian language, persistent harassment of Georgian-language teachers at their workplace, banning Georgian handbooks from curricula and preventing Georgian university entrants from continuing their studies in higher education institutions of Georgia through imposing direct restrictions on their movement or exerting other direct or indirect pressure. While the process of russification had started in Gali District long ago, the restriction of studies in the Georgian language in Akhalgori became particularly relevant in the reporting period.¹

Restrictions on the right to freedom of movement

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. While the international community recognizes Georgia's territorial integrity in its internationally recognized borders, the central government can not exercise effective control in the occupied regions. 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 long-term closure of crossing points. Permanent closure of the Mosabruni crossing point in Akhalgori in September 2019, in the follow up of the Chorchana-Tsnelisi tensions, resulted in the humanitarian crisis.² Akhalgori has been cut from the outside world. Life in the district has become virtually unbearable in the wake of the crisis and the Covid-19 epidemic. A significant part of the population has been leaving Akhalgori for a year and a half now.³

Introduction of the obligatory quarantine for those crossing the ABL from Abkhazia, in addition to the numerous artificial barriers created by the de facto Abkhazian authorities, prompted Gali inhabitants to seek alternative, including most dangerous ways to reach Zugdidi. Recently, four⁴ persons drowned in the Enguri River, while trying to reach the Georgian-controlled territory from the occupied region of Abkhazia though a by pass road in April 2021.⁵

Creeping "ethnic" cleansing of Akhalgori

The humanitarian situation in the occupied Akhalgori district has deteriorated sharply since the Chorchana-Tsnelisi crisis in August 2019, when the Georgian authorities opened a police post in the area under its control (in the village of Chorchana). Tskhinvali demanded the abolition of the post as an

¹<http://www.democracyresearch.org/files/66DRI-broshura-3.pdf> - Access to education 2019-2020

²<https://bit.ly/3bq0zPi> - Restrictions on the right to freedom of movement - 2020

³<https://bit.ly/3w4CPYH> - The Akhalgori deadlock; DRI 2021

⁴<https://rustavi2.ge/en/news/195378> - Four people drowned in the Enguri River (last accessed on 14.05.2021)

⁵<http://www.democracyresearch.org/eng/561> - Four people drowned in the Enguri River 07.04.2021

ultimatum, but no agreement has been reached and Akhagori and its population have been completely cut from the outside world.

At the end of 2020, due to the sharply deteriorating migration processes, de facto authorities began to issue special movement permits; however, not everyone was allowed to leave. The so-called black list includes about a hundred persons, who, for unknown reasons, will not be able to get permits. It is worth noting that a large part of those on the list are employed in the public service.

Borderisation and Detentions of Georgian citizens

In recent years, the so-called borderization has been accompanied by the detentions of Georgian citizens on charges of "illegal border crossing" in Abkhazia and South Ossetia.

In addition, both Tskhinvali and Sokhumi have a completely unnecessary strict approach towards ethnic Georgians, which is detrimental to the Georgian-Ossetian and Georgian-Abkhazian relations. The most obvious examples of such treatment are the cases of Zaza Gakheladze and Irakli Bebu. Gakheladze was sentenced to 12 years in prison for absolutely absurd charges, while Irakli Bebu was sentenced to 9 years for burning an Abkhazian flag⁶. Illegal detention of Bebu is particularly alarming due to the political contexts and sensitivity of his case.

Currently, 3 citizens of Georgia are in illegal detention in Tskhinvali: Genadi Bestaev (sentenced to 2 years), Lasha Khetereli (1 year), Zaza Gakheladze (12 years and 6 months). In Abkhazia, Irakli Bebu is sentenced to 9 years in prison.⁷ More than 3,000 people have recently been arrested and fined by the Russian military for crossing the Abkhazian ABL in January-March, 2021.⁸

Inal Jabiev Case

In 2020, after several days of interrogation, 30-year-old Inal Jabiev died in the Tskhinvali pre-trial detention isolator in "unclear circumstances." Allegedly, the young man became a victim of inhuman treatment and torture. Protests in Tskhinvali began on August 28, 2020, after photos of allegedly brutal torture of a young man by police forces were circulated on social media. Jabiev was accused of attacking de facto Interior Minister Naniev's car on August 17.⁹ Inal's case allegedly presents a whole chain of human rights violations: right to life; freedom from inhuman treatment and torture; right to have a lawyer¹⁰; Freedom of assembly and association; The right to a fair trial, etc.

Lack of investigation/Impunity

DRI highlights the killings of ethnic Georgians on the territories controlled by the Russian Federation. Four Georgian citizens have been brutally killed in the Russian-occupied territories since 2014: 18-year-old Davit Basharuli in 2014, 31-year-old Giga Otkhozoria in 2016, 35-year-old Archil Tatunashvili in 2018 and 29-year-old Irakli Kvaratskhelia in 2019.

Policy of intimidation against Akhagori population

⁶ <https://civil.ge/archives/386132> - Irakli Bebu 08.12.2020

⁷ <http://www.democracyresearch.org/eng/518> - DRI once again responds to increased number of detentions of Georgian citizens 12.02.2021

⁸ <https://civil.ge/archives/410520> - 3,000 Gali Locals Arrested for Crossing into Georgia Proper 03.04.2021

⁹ <http://www.democracyresearch.org/eng/538> - Inal Jabiev Case 09.03.2021

¹⁰ <https://bit.ly/3bq5fEW> - Inal Jabiev Case 01.05.2021 (last accessed on 14.05.2021)

Tamar Mearakishvili's Case

Tamar Mearakishvili, an Akhagori-based civil activist, has been the victim of retaliation by the de facto South Ossetian government. An investigation has been ongoing against her on absurd charges for four years now, due to which, Tamar's freedom of movement has been restricted for years. Tamar Mearakishvili has been threatened by a district prosecutor via social media. As a punitive mechanism, the prosecutor cut off electricity supply to her¹¹.

Medical service

According to the Democracy Research Institute, due to the pandemic, the situation in the occupied regions is critical¹². The situation is difficult¹³ because: reliable information and case statistics is lacking;; there is no necessary medical infrastructure; Gali¹⁴ and Akhagori clinics still do not have COVID-19 infection diagnostic tools and disinfectants for primary necessity; lack of professionalism among medical staff, etc.¹⁵

Military Bases of the Russian Federation in Abkhazia and the Tskhinvali Region/South Ossetia and Their Impact on Human Rights

The Democracy Research Institute has drawn up a report on Russian Military Bases in Abkhazia and the Tskhinvali Region/South Ossetia and their Impact on Human Rights.

The report describes the military policy of the Russian Federation towards the occupied regions of Abkhazia and South Ossetia. Russia strengthened its bases in the occupied territories and began building new ones. The same happened to the six-point agreement reached after the 2008 Russian-Georgian war, which, apart from a ceasefire, called for the withdrawal of forces to pre-war positions. Instead of implementing the agreement, the so-called "borderization" is now ongoing.

The deployment of Russian FSB units along the dividing line serves to control the possibility of direct contact between Georgians and Abkhazians/Georgians and Ossetians.¹⁶

¹¹<http://www.democracyresearch.org/eng/413> - Tamar Mearakishvili Case

¹²<http://www.democracyresearch.org/eng/433> - Covid-19 Tskhinvali

¹³<http://www.democracyresearch.org/eng/379> Covid-19 Abkhazia

¹⁴<http://www.democracyresearch.org/eng/263> - Pandemic in the Occupied Territories

¹⁵<http://www.democracyresearch.org/eng/298> - Medical care in Gali

¹⁶<https://bit.ly/3ydrMhE> - DRI research Military Bases impact on human rights 2020