

Information Documents

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**Consolidated report on the conflict in Georgia
(October 2023 – March 2024)**

Introduction

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

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

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

3. This 29th consolidated report covers the period October 2023-March 2024. It notably builds on the previous consolidated reports and on the related decisions by the Deputies.

4. A delegation of the Secretariat carried out a fact-finding visit to Tbilisi on 13-14 February 2024 and had the opportunity to discuss the situation with the Georgian authorities as well as representatives of international organisations and the expert community. During its visit, the delegation had an opportunity to visit the Internally Displaced Persons' (IDP) Settlement in Tserovani. The Secretariat wishes to express its gratitude to the Georgian authorities for their support in organising the visit and to all interlocutors for their assistance and valuable contributions.

5. The Secretary General continues to call for access in view of fact-finding visits to the Georgian regions of Abkhazia and Tskhinvali region/South Ossetia for the preparation of consolidated reports. The Secretariat was not given access on this occasion. In the period under review, the Secretariat and experts also continued to have contacts for the purpose of the implementation of Confidence-Building Measures (CBMs) and were able to travel to Sukhumi in November 2023 – for the first time since 2018 – to present project outcomes related to the ongoing dialogue on archives (cf. Section IV.1.ii).

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

7. It is a fundamental objective of the member states of the Council of Europe to uphold the territorial integrity of Georgia. In their successive decisions, the Deputies have reiterated their unequivocal support for the sovereignty and territorial integrity of Georgia within its internationally recognised borders.¹ The Deputies have called upon the Russian Federation to stop and reverse illegal processes and to comply with its international obligations and commitments. Nothing in this report should be interpreted as being contrary to the full respect of the territorial integrity and sovereignty of Georgia within its internationally recognised borders.

¹ CM/Del/Dec(2023)1479/2.1 (latest decision of the Ministers' Deputies of 31 October 2023).

8. This report does not prejudice or infringe upon a possible future political settlement of the conflict, nor potential progress within the framework of the Geneva International Discussions (GID) on the implementation of the six-point Ceasefire Agreement of 12 August 2008 between the Russian Federation and Georgia under the auspices of the European Union, and the implementing measures of 8 September 2008.

I Update on major developments in the period under review

9. The 59th round of the GID was held on 5 and 6 December 2023 under the co-chairpersonship of the United Nations, the European Union, and the Organization for Security and Co-operation in Europe (OSCE). Despite a continued highly challenging regional and geopolitical environment, all participants reconfirmed their lasting commitment to the GID as the only platform where the conflict consequences are addressed. As per usual practice, the round convened in two parallel working groups on security and humanitarian issues.

10. In their press communiqué, the Co-Chairs noted that the 59th round took place “against a backdrop of increased tension along the South Ossetian administrative boundary line”. In this context, the fatal shooting of Mr Tamaz Ginturi on 6 November 2023 was extensively discussed, also with a view to preventing a repetition of similar incidents. As in previous rounds, the issue of IDPs and refugees could not be addressed due to a walkout of some participants. The Co-Chairs reiterated their call on all delegations to engage in constructive, forward-looking exchanges to overcome differences and ensure the peaceful settlement of issues relating to the security and humanitarian situation on the ground.² The 60th GID round is scheduled to take place on 4-5 April 2024.

11. Representatives of the Georgian Government assessed that the ongoing Russian military aggression against Ukraine continued to negatively impact discussions in Geneva. At the same time, they emphasised the importance of the GID as the only format addressing Russia’s international obligations relating to the armed conflict, as mandated by the Six-Point Agreement of 12 August 2008 and the implementing measures of 8 September 2008.³

12. On 26 February 2024, the authorities in control of the Georgian region of Abkhazia publicly raised Russia’s alleged insistence to move the GID to another location, as Geneva would no longer provide “equal conditions for all participants of the negotiation process”. Neither participant, however, issued an official statement formally rejecting Geneva as the venue of future GID rounds.

13. With regard to developments in the region, the Georgian authorities expressed deep concern about accelerated attempts to increasingly restrict the space for reconciliation and engagement policy. According to several interlocutors, hardening positions against CBMs, civil society and international actors confirmed a tendency progressively displayed since 2022, hence illustrating a deliberate policy to further isolate the Georgian region of Abkhazia from the rest of Georgia.

² Press communiqué of the Co-Chairs of the Geneva International Discussions, 6 December 2023.

³ On 8 September 2008, a set of Implementing Measures of the Six-Point Agreement was introduced as a reaffirmation of the commitments made in the Agreement.

14. In December 2023, the authorities in control ceased certification for USAID-funded projects and declared the USAID regional director so-called *persona non grata*. In January 2024, EU Special Representative Toivo Klaar was denied entry into the Georgian region of Abkhazia for the second time in six months, prompting him to release a public [statement](#). Over recent months, civil society representatives reportedly experienced difficulties crossing the Psou checkpoint at the Georgia-Russia border, being subject to lengthy interrogations by FSB (Russian Federal Security Service) border guards.

15. On 7 February 2024, a “draft law on non-profit organisations and individuals acting as foreign agents” was submitted to the so-called “parliament”, stipulating that civil society organisations and natural persons receiving funds or other property from foreign sources could be considered as “foreign agents”, except for funding emanating from states having recognised the region’s “independence”. In parallel, a “co-operation agreement” for the purpose of maintaining public order was allegedly discussed with the Russian Federal Service of National Guard Troops (*Rosgvardiya*). It reportedly failed to be endorsed after triggering opposition.

16. The Georgian authorities expressed their apprehension that the afore-mentioned measures could significantly affect the humanitarian situation on the ground and dismantle existing channels of communication and co-operation. They also condemned the latest developments demonstrating an increased alignment of the Georgian region of Abkhazia with Russian strategic and economic interests, expressing concern as to declared intentions to establish a permanent Russian naval base in the coastal town of Ochamchire, which would be illegal, and to strive for progressive “integration” into the Union State of Russia and Belarus.

17. The Georgian Government furthermore denounced recent illegal transfers of strategic assets to Russia, amounting to another gross violation of Georgia’s independence, sovereignty and territorial integrity. The delegation’s attention was drawn in particular to the so-called “agreement” handing over the Sukhumi airport to a Russian investor for the purpose of its restoration and future operation, as well as to the recent “ratification” of an earlier “agreement” bringing the former resort of Bichvinta (“Pitsunda state dacha”) free of charge into Russian ownership, with the associated plot of land of over 180 hectares being subject to a 49-year lease. In the same vein, several interlocutors informed the delegation of ongoing discussions pertaining to a draft “apartment law” allegedly designed to ease Russian access to real estate in the Georgian region of Abkhazia.

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

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

- i. *To accept the principles of the rule of law and of the enjoyment by all persons within its jurisdiction of human rights and fundamental freedoms, and to collaborate sincerely and effectively in the realisation of the aim of the Council of Europe.*

- ii. *To settle international as well as internal disputes by peaceful means (an obligation incumbent upon all member states of the Council of Europe), rejecting resolutely any forms of threats of force against its neighbours.*

19. During the reporting period, the Georgian Government reiterated its commitment to pursue peace and underlined the importance of a strategic approach to engagement. In this respect, the Georgian authorities emphasised the importance of taking into account evolving geopolitical realities in the process of the “State Strategy for De-Occupation and Peaceful Conflict Resolution” and the strategic review of the 2010 Engagement Strategy and its associated Action Plan.

20. As reported previously, the European Court of Human Rights delivered its Grand Chamber judgment on the merits on 21 January 2021 in the inter-state application *Georgia v. Russia (II)* (application no. 38263/08), concerning the armed conflict between the Russian Federation and Georgia in August 2008 and its consequences. In their latest decision of 31 October 2023, the Deputies recalled that the judgment established the responsibility of the Russian Federation for grave human rights violations during the period of occupation of the Georgian regions of Abkhazia and Tskhinvali region/South Ossetia following the August 2008 war as the state exercising effective control over those regions, including the killing, torture, ill-treatment and arbitrary detention of Georgian civilians and military personnel, the looting and burning of Georgian homes, the inhuman treatment of Georgians targeted as an ethnic group, and the deprivation of the right of IDPs and refugees to return to their homes.⁴ The Georgian Government submitted its observations under Article 41 of the European Convention on Human Rights (hereafter “Convention”) in January 2022, accompanied by the list of victims. In its judgment on just satisfaction, handed down on 28 April 2023, the Grand Chamber ruled that the respondent state, the Russian Federation, was to pay cumulatively the applicant government, Georgia, within three months, EUR 129 827 500 in respect of non-pecuniary damage suffered by an identifiable group of individual victims of the afore-listed breaches of the Convention.

21. Most recently, the Committee of Ministers examined the case of *Georgia v. Russia (II)* at its 1483rd meeting (December 2023) (DH) and adopted an Interim Resolution recalling the afore-mentioned judgment on just satisfaction, noting the deadline for payment had expired on 29 July 2023.⁵ Regretting that no payment had been made, the Committee underlined that the default interest continued to accrue on the amount awarded by the Court and urged the Russian authorities to pay without any further delay. Furthermore, the Interim Resolution firmly deplored the persistent lack of information on the concrete measures taken or envisaged by the respondent state to execute the judgment, with the exception of its dissemination to competent state bodies. The Committee again exhorted the Russian authorities to thoroughly, independently, effectively and promptly investigate the serious crimes committed during the active phase of hostilities as well as during the period of occupation, so as to identify all those responsible for the purpose of bringing the perpetrators to justice. Finally, the profound concern about the inability of Georgian nationals to return to their homes was firmly reiterated, as was the insistence that the Russian Federation, which the Committee noted has effective control over these regions, ensure without delay, measures to prevent kidnapping, killing, torture or any other incident impeding the free and safe movement of Georgian nationals, and allow for the safe return of persons wishing to return to their homes.

⁴ CM/Del/Dec(2023)1479/2.1, 31 October 2023.

⁵ CM/ResDH(2023)489.

22. Regarding the pending inter-state application *Georgia v. Russia (IV)* (no. 39611/18) lodged in August 2018, concerning the alleged deterioration of the human rights situation along the Occupation Line (OL), it is recalled that the Court declared on 20 April 2023 the application admissible. In the separate *Matkava and Others v. Russia* judgment (application no. 3963/18) delivered on 19 December 2023, the Court found a double violation of Article 2 of the Convention by the Russian Federation on account of the killing of Giga Otkhozoria. In the case of *O.J. and J.O. v. Georgia and Russia* (applications nos. 42126/15 and 42127/15), the Chamber judgment delivered on 19 December 2023 considered that Russia was solely responsible for the violation of Article 5§1(a) and (c) and Article 6§§1 and 3(c) in respect of the applicants. In both cases, the Court concluded that, due to its sustained and substantial military, political and economic support for de facto authorities, Russia had exercised continued effective control and decisive influence over the area and thus had jurisdiction in respect of the matters complained of.

23. The investigation authorised by the International Criminal Court (ICC) into the *Situation in Georgia* covering the period from 1 July 2008 to 10 October 2008, for war crimes and crimes against humanity allegedly committed in and around the Tskhinvali region/South Ossetia, Georgia, was concluded on 16 December 2022.⁶ The three arrest warrants issued by the Office of the Prosecutor on 30 June 2022 remain active to date.

- iii. *To respect strictly the provisions of international humanitarian law, including in cases of armed conflict on its territory.*
- iv. *To co-operate in good faith with international humanitarian organisations and to enable them to carry out their activities on its territory in conformity with their mandates.*
- v. *To facilitate the delivery of humanitarian aid to the most vulnerable groups of the population affected by the consequences of the conflict.*

24. During the reporting period, the International Committee of the Red Cross (ICRC) continued its longstanding activities in support of efforts aimed at clarifying the fate and whereabouts of over 1 900 persons that remain unaccounted for as a result of the armed conflicts, also accompanying their families. The 15th meeting of the “*Co-ordination Mechanism on the persons unaccounted for in connection with the 1992-1993 armed conflict and aftermath in Abkhazia*” took place on 20 December 2023 in Istanbul, Türkiye. In November, the ICRC also convened a roundtable in Tskhinvali to discuss current roles and responsibilities in the search, recovery and identification process, gathering local stakeholders, including representatives of civil society and family members.

25. The ICRC proceeded with the collection and analysis of available data for the identification of missing persons, also implementing forensic capacity-building activities (forensic archaeology and photography) and facilitating the handover of human remains. The delegation’s interlocutors highlighted the unprecedented number of identifications realised in 2023, with a total of 58 individuals identified and returned to their families. Moreover, the gradual transition of certain tasks currently undertaken by the ICRC to the Georgian authorities continued. On 30 August 2023, the “International Day of the Disappeared” (IDoD) was fully organised by the State Ministry for Reconciliation and Civic Equality (SMR) in five Georgian cities. The delegation was informed about several meetings held between ICRC and SMR working groups to ensure a successful transition of the *Accompaniment for the Families of the Missing Persons* programme. Parallel handover processes took place in Sukhumi and Tskhinvali in co-operation with relevant stakeholders and family representatives.

⁶ Statement of the Prosecutor of the International Criminal Court, 16 December 2022.

26. The ICRC furthermore carried out other regular activities in line with its mandate as a neutral humanitarian intermediary and maintained contacts between separated families. It conducted visits to so-called “penitentiary structures” with the aim of securing human conditions of detention and, upon request, re-establishing or facilitating communication between detainees and their families by exchanging “Red Cross Messages”. In the Tskhinvali region/South Ossetia, the ICRC provided domestic support as well as food, hygiene and medical/orthopaedic assistance to particularly vulnerable individuals. It also helped ten vulnerable households to survive the winter cold in more decent living conditions as part of its One-Insulated-Room project. In Abkhazia, the ICRC also delivered assistance to particularly vulnerable families and individuals. Throughout 2023, the ICRC facilitated a total of 208 medical evacuations for beneficiaries from the Tskhinvali region/South Ossetia.

27. The UN agencies, funds and programmes continued to engage in the Georgian region of Abkhazia through a wide range of programming activities, based on the internationally recognised human rights standards and humanitarian principles. The EU remained a major funder of these programmes, alongside individual states. During the reporting period, the Liaison Mechanism established within the Georgian Government’s Action Plan for Engagement and operating under the aegis of UNDP (financed by the EU), operated uninterrupted, facilitating the delivery of humanitarian aid.

28. The international community also contributed to the overall goal of peacebuilding by fostering dialogue between conflict-affected communities across dividing lines. Triggering a high number of applications, the programme *Taking COBERM further: joint EU-UNDP Initiative for Lasting and Inclusive Peace (FLIP)* continued backing civil society actors’ locally led initiatives aimed at building trust. All interlocutors pointed to the tangible positive impact of projects facilitating people-to-people contacts, emphasising the importance of upholding and further intensifying this engagement.

29. At the same time, as reported above, major concerns were expressed as to growing attempts to undermine CBMs, increasingly becoming subject to extraordinary scrutiny and openly hostile rhetoric by the authorities in control. The delegation was informed of an overall operating environment gradually tightening up, characterised by intrusive questioning and additional cumbersome reporting requirements. While UN agencies had encountered some minor obstacles with access, they were so far not significantly impeded in their ability to travel and operate. It was however reported that their partner NGOs were subject to increased pressure, stigmatisation and intimidation by security actors. Several interlocutors also expressed apprehension as to enhanced restrictions potentially affecting the overall funding environment, with donors being hindered to adequately monitor progress of programmes supported. It was felt that the impact of the future so-called “foreign agents’ law” should be considered in the light of its final wording and future concrete implementation conditions.

30. Despite repeated offers and calls, no progress was made concerning international humanitarian access to the Tskhinvali region/South Ossetia, which remained exclusively restricted to the ICRC.

31. The Georgian authorities continued to provide free medical treatment for the populations in the Georgian regions of Abkhazia and the Tskhinvali region/South Ossetia. Throughout 2023, a total of 1 453 persons benefited from free treatment under the dedicated State Referral Healthcare Programme, with respectively 1 160 patients from the Georgian region of Abkhazia and 293 patients from the Tskhinvali region/South Ossetia. Since October 2023, 90 persons were transported by ambulance to hospitals in Tbilisi-controlled-territory under the programme “*Ambulance, Emergency and Medical Transportation*”. The delegation was informed that following recent legislative changes, formal identity documents were no longer required to enrol in specialised programmes operated by the Health Ministry: people from both regions could henceforth become beneficiaries by simply requesting a neutral identification number free of charge, through online registration. Support provided by the Georgian Government also comprised various pharmaceuticals and vaccines, the delivery of which was facilitated under the Liaison Mechanism and by international partners (UNDP, WHO, UNICEF). Moreover, the Rukhi Hospital expanded its operation as a multidisciplinary clinic, now offering a full spectrum of care to people from the Georgian region of Abkhazia. Finally, 1 081 patients from villages adjacent to the Occupation line (OL) received medical care in 2023 for a total cost of 1.24 million GEL.

32. The Georgian Government reiterated its commitment to peaceful conflict resolution through a pragmatic and humanitarian approach, as illustrated by the flagship peace initiative “A step to a better future”. Cross-OL trade continued to be fostered through simplified status-neutral procedures for business registrations and commercial grants, improving the socio-economic situation of the conflict-affected population. Since its inception, the Peace Fund has provided support to over 100 joint business projects, operating with contributions from international partners. The launch of its fourth call in June 2023 again witnessed a growth in applications. In the field of education, as part of the same initiative, the Government pledged continued support to the enrolment of students from both regions in Georgian universities. Accordingly, 245 students were admitted to Georgian higher education institutions in 2023, 234 of which without exams. The delegation was also informed about ongoing work to further revive the post-secondary integration programme – which forcibly paused in 2020-2022 due to the pandemic – as from September 2024.

33. As regards the conflict-affected population in villages on Tbilisi-controlled-territory adjacent to the OL, the Georgian Government continued to allocate funding to address remaining needs in the field of infrastructure, transportation, education and healthcare.

III Human rights situation in the areas affected by the conflict

34. Representatives of the Georgian authorities pointed to a continued trend of illegal, so-called “borderisation” processes, illegal detentions and unresolved cases. Despite a minor reduction in the number of incidents, it appeared that they were, however, of greater gravity: within the period under review, increased use of brutal violence and firearms led to the tragic death of two Georgian citizens. This further contributed to an escalating situation, already impacted negatively by the ongoing Russian aggression against Ukraine.

35. Unilateral restrictions on free movement of people and goods continued to affect – in multiple negative ways – the daily lives and human rights of the conflict-affected population, disrupting their access to basic rights, services, and livelihood opportunities. While previous openings of several “crossing points” on the OL were upheld, crossings remained hindered by impediments related to documentation issues and temporary closures. The failure to address various forms of discrimination against ethnic Georgians – including by depriving conflict-affected children of the right to an education in their mother tongue – further fed into a sense of alienation and led to further displacement, contributing to the ageing of the local population of the Gali district.

36. Manifest lack of progress in the investigation into the deaths of Giga Otkhзорia, Davit Basharuli, Archil Tatumashvili, Irakli Kvaratskhelia and Inal Jabiev, as well as into the recent killings of Temur Karbaia and Tamaz Ginturi, continued to highlight persisting impunity and the pressing need to ensure accountability for grave human rights violations.

37. The Georgian authorities also reiterated their concerns about the state of the Georgian cultural and religious heritage in the Georgian regions of Abkhazia and the Tskhinvali region/South Ossetia, some of which were reported to have suffered irreversible damage. It was recalled that on 22 January 2024, a fire had destroyed over 4 000 paintings at the “National Art Gallery” in Sukhumi as a direct consequence of the neglect of cultural identity by the authorities in control.

III.1 Reports on Abkhazia, Georgia

III.1.i Security

38. The Gali Incident Prevention and Response Mechanism (IPRM) under the auspices of the United Nations remained suspended despite intermittent signals by the authorities in control on alternative venues being explored to overcome existing disagreements between participants. No IPRM meetings were held during the period under review. The Georgian Government expressed its regret as to an observed gap between symbolic statements and a lack of willingness of Russian and Abkhaz participants to discuss concrete issues. It joined consistent calls by the international community to resume IPRM meetings, suspended since 2018. The EUMM-facilitated hotline continued to operate without interruption.

39. The delegation was informed about the continuation of illegal “borderisation” activities, illustrated by a newly built barbed wire fence and increased use of modern surveillance systems and technical devices (motion detectors, cameras) to trace the movements of the local population. The Georgian authorities assessed that, amid the ongoing Russian military aggression against Ukraine, the trend of imposing artificial barriers and other restrictions had noticeably intensified. While the number of incidents declined during the period under review, their seriousness appeared on the rise due to frequent recourse to violence and ill-treatment, as illustrated by the case of Temur Karbaia, a Georgian citizen who was reportedly beaten to death on 9 December 2023 by local so-called “law enforcement officers” in the centre of Gali, after a personal search escalated.

III.1.ii Freedom of movement

40. Regular cross-OL movement continued throughout the reporting period. Numbers reportedly returned to the pre-pandemic level, with a daily average of respectively 2 157 and 103 crossings over the Enguri bridge and the smaller pedestrian Saberio-Pakulani “crossing point”. Delays and other issues with obtaining documents for crossing purposes – mainly so-called “foreign residence permits” – nonetheless further impacted freedom of movement for local residents wishing to enter Tbilisi-controlled-territory (See section on identity documents).

41. The Georgian authorities informed that illegal detentions persisted, with a total of 26 cases throughout 2023. It would still appear that not all cases were notified in a timely and detailed manner via the EUMM-managed hotline.

42. As regards the active cases, the Georgian Government reiterated strong concern regarding the severe health condition of Irakli Bebuga, who was illegally sentenced to a nine-year imprisonment in December 2020. They renewed their call for his immediate release, also pointing to the cases of Kristine Takalandze and Asmat Tavadze, deprived of their liberty since 2022. Several interlocutors highlighted the gender dimension of both illegal detentions, perceived as an expression of deliberate pressure on most vulnerable groups.

III.1.iii Humanitarian situation

43. The humanitarian plight of the ethnic Georgian population continued to draw attention. While the Enguri bridge still remains subject to arbitrary closures, the reopening of two “crossing points” somewhat alleviated the negative socio-economic consequences of the covid-19 pandemic by allowing for better access to basic rights, pensions, services and livelihoods in Tbilisi-controlled-territory, including to medical facilities and markets in Zugdidi. Trade and commercial activity continued to rebound. The decision by the authorities in control to extend the (currently fourteen) categories of goods allowed to be traded through the OL was considered a positive and necessary step by some of the delegation’s interlocutors.

44. Emergency medical evacuations to Tbilisi-controlled-territory remained available throughout the reporting period, also by virtue of an effective facilitation via the EUMM-managed hotline.

III.1.iv Identity documents

45. Documentation gaps remained a recurrent problem impacting both the status and daily lives of ethnic Georgians, primarily in Gali but also in Ochamchire and Tkvarcheli, with adverse implications for the effective enjoyment of their rights, in particular freedom of movement, work and property rights.

46. During the period under review, the authorities in control continued to issue so-called “foreign resident permits”, which were first delivered in 2017. Their validity was reportedly extended from five to ten years in December 2023. While these permits appear as the only option offered to many ethnic Georgians, they do not provide access to a full scope of rights. In addition, a significant proportion of local residents remains reluctant to accept the implied “foreigner status” in their land of origin. The Georgian Government has continuously denounced this policy as a deliberate discrimination against ethnic Georgians.

47. While lengthy delays of obtention have reportedly been reduced over recent months, arbitrary practices in granting the document persist, as grounds for rejection remain open to interpretation. Despite concerns voiced by the international community as to very restrictive eligibility requirements, a considerable number of people continue to be excluded from obtaining the permits. The need to prove permanent residence continued to create difficulties for both students and people employed on Tbilisi-administered-territory. In addition, the validity of the (temporary) “Form N° 9” reportedly expired on 31 December 2023. Holders, however, still appear to be able to request an extension.

48. Several interlocutors reported on regulatory changes by which ethnic Georgians could henceforth apply for so-called “Abkhazia passports”, provided they denied their Georgian identity by changing their last names. Doubts were however expressed as to the effective implementation of this measure. In parallel, the Georgian authorities expressed concern as to the increased pressure exerted on holders of Georgian passports, denouncing intimidation attempts to counter a heightened interest in such identity documents by creating a climate of fear.

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

49. Access to mother tongue-based education in Georgian remains unavailable as it was completely phased out in 2022 both in schools and kindergartens. The education process predominantly takes place in Russian and to a very limited extent in the Abkhaz language. Georgian language and literature continue to be taught in Gali from the 1st to the 11th grade but remain limited to respectively one hour per week.⁷ As a result, the number of pupils enrolled in schools steadily decreases, contributing to the ageing of the local population and to the risk of closure of schools with a low enrolment.

50. The Georgian authorities continued to strongly denounce the ban as yet another manifestation of discrimination and an attempt to undermine the Georgian identity and culture, contrary to international standards. Several interlocutors voiced concern about instances of pressure on Georgian language teachers in Gali. They also deplored that the obligation to teach in Russian forced many teachers to undergo re-qualification, while negatively affecting the quality of education.

⁷ According to the Georgian authorities, in Gali N1 Secondary school, Georgian language is optionally taught in the 5th grade for two hours per week.

III.2 Reports on the Tskhinvali region/South Ossetia, Georgia

III.2.i Security

51. Overall, the situation along the OL continued to be assessed as tense but relatively stable. Security incidents remained inferior in absolute numbers to last year's statistics. Their seriousness however increased, as tragically illustrated on 6 November 2023 by the shooting and killing of Mr Tamaz Ginturi near the village of Kirbali, and the concomitant abduction and illegal detention of another Georgian citizen. This first deadly incident after 2008 at the OL of the Tskhinvali region/South Ossetia, Georgia, which added to previous cases of loss of life in various circumstances (*see for example paragraph 36*), triggered widespread international condemnation. An emergency meeting of the IPRM and timely exchange of information through the EUMM-managed hotline played a crucial role in defusing soaring tensions. Moreover, several interlocutors shared with the delegation observations as to a more liberal use of firearms by so-called "border guards": the latter opened fire on three separate occasions in 2023, with the third instance tragically leading to the death of Mr Ginturi.

52. The "borderisation" process and its adverse effects on the local population also continued to raise concern. A total of 39 new instances of illegal borderisation were reported throughout 2023, giving rise to numerous activations of the EUMM-operated hotline. With the erection of so-called "border signs" and the fresh digging of so-called anti-fire trenches, additional artificial barriers proliferated. The "borderisation" activities also involved the installation of newly built fences and the reinforcement of observations posts, increasingly equipped with modern technical devices (motion detectors and cameras).

53. No major developments were reported concerning the security situation in the Chorchana-Tsnelisi section of the OL, which remained volatile, yet preserving the status quo on the ground. Extensive discussions in this regard continued in the IPRM format.

54. The Ergneti IPRM, co-facilitated by the OSCE and the EUMM, continued to convene on a regular basis, with three meetings held during the period under review. At the 115th meeting on 1 November, the co-facilitators commended the sustained commitment to an essential format in addressing issues related to freedom of movement, detentions, security incidents and other topics of concern. They particularly praised the good practice of accompanying technical meetings on irrigation, leading to a common approach to sharing water for the 2024 season.⁸ On 13 December, the 116th meeting discussed at length the killing of Mr Tamaz Ginturi. Condemning the fatal use of force, both the OSCE and the EUMM stressed the need to prioritise the safety of conflict-affected communities, also urging for a humanitarian approach towards the resolution of detention cases.⁹ The 117th meeting on 13 February kept an active focus on preventing incidents, also covering security dynamics in the Chorchana-Tsnelisi area of the OL, including UAV (Unmanned Aerial Vehicle)-related issues.¹⁰ It simultaneously allowed for co-ordination on the restoration of electricity lines damaged by snowfalls.

⁸ Press release, OSCE, 115th Incident Prevention and Response Mechanism meeting takes place in Ergneti, 31 October 2023.

⁹ Press release, OSCE, 116th IPRM meeting takes place in Ergneti, 12 December 2023.

¹⁰ Press release, OSCE, 11th IPRM meeting takes place in Ergneti, 13 February 2024.

55. The Georgian authorities heavily insisted on the need for accountability and for a proper investigation into the murder of Mr Ginturi, also expressing concern regarding the “appointment” as the so-called “prosecutor” of the Akhagori district, of the person previously convicted by the Mtskheta District Court for torturing and killing Archil Tatumashvili. Georgian Government representatives called for IPRM meetings to be held on a more frequent basis to avoid unnecessary gaps and delays in solving acute problems.

III.2.ii Freedom of movement

56. While freedom of movement remained significantly restricted due to the closure of the OL, temporary openings of the Mosabruni/Odzisi and Karzmani “crossings points” were sustained between the 20th and 30th day of each month, allowing people to take advantage of medical care, services, and livelihood opportunities within a limited 10-day timeframe. In 2023, crossings in and out of Akhagori accordingly reached a daily average of respectively 224 and 31 people, many of which were women and children. The Georgian authorities observed that the partial relaxation of the crossing regime continued to solely apply to residents of several villages of the Akhagori District and the village of Kardzmani and Sinaguri of the Java district. In a positive development, people living in Tbilisi-administered-territory were reportedly granted extended opportunities to access the Georgian region of the Tskhinvali/South Ossetia during the winter season, in order to facilitate agricultural works and offer help to elderly relatives.

57. The delegation was informed of 37 cases of illegal detentions by Ossetian and Russian border guards in 2023. Despite a slight decrease in numbers compared to 2022, a strong sense of insecurity persists among the local population. Several interlocutors also pointed to frequent cases of beatings and ill-treatment. At the time of the delegation’s visit, there remained four active cases (Lasha Khetereli, Giorgi Mosiashvili, Dito Korinteli and Giorgi Meladze). Three new illegal detentions have since been reported in the course of February 2024.

III.2.iii Humanitarian situation

58. The prolonged periods of closure of the OL continued to significantly hamper livelihood activities, as well as access to markets, pensions and other social benefits on the Georgian controlled territory. With temporary openings applying exclusively to pedestrians, the flow of goods remained restricted with little opportunity to resume trade. During the winter season, it appeared that authorities in control, in line with previous announcements, effectively allowed family members of elderly people in Akhagori to stay in the region for up to three months.

59. While the partial reopening of the “crossing points” alleviated some of the hardships, the delegation’s interlocutors convergently stressed the urgent need for a full re-opening without any hindrances to offset the negative consequences of isolation.

60. Ongoing restrictions also continued to negatively affect patients suffering from chronic diseases and requiring constant medical care. In the period under review, medical evacuations to Tbilisi-controlled-territory generally proceeded without obstacles, although sophisticated bureaucratic procedures reportedly generated undue delays in rare cases.

III.2.iv Identity documents

61. The burdensome access to so-called “permission documents” (“*Propusks*”) – used for crossing purposes – remained of concern, also in light of reported arbitrary practices and different validity periods. Close relatives of the elderly residing in the Akhagori district were overall granted three-month permission documents enabling them to stay in contact with their family.

III.2.v Access to education, including teaching of/in the native language

62. Similar to the Abkhaz context, access to education in the Georgian native language remained unavailable in all seven schools of the Georgian-inhabited Akhagori district. The compulsory teaching in Russian language exclusively forced those wishing to receive an education in their native Georgian language to relocate to Tbilisi-administered-territory.

III.3 The situation of internally displaced persons

63. During the period under review, no progress could be reported as regards the voluntary, safe, dignified and unhindered return of IDPs and refugees on the basis of internationally recognised principles.

64. According to the Georgian authorities, 296 736 persons (constituting approximately 92 000 families) currently have IDP status. In the absence of conditions conducive to their return, the Georgian Government continued to undertake efforts to provide IDPs with alternative durable solutions. Adopted through a participatory process, the new Action Plan for IDPs for 2023-2024 is currently being implemented.

65. As regards durable housing solutions (DHS), several programmes are conducted by the Agency for Internally Displaced Persons, Ecomigrants and Livelihood (henceforth: the Agency). They include purchasing of individual apartments and their subsequent transfer to the IDPs’ private ownership, engaging in large-scale construction of new apartments across the country, granting rent subsidy as well as providing temporary accommodation in case of emergency. According to the authorities, 56% of all IDP families are to date provided with DHS. The delegation’s interlocutors confirmed the intention to accommodate all IDPs in crucial need by 2026 and to close all remaining collective centres – in which the conditions are often substandard – within the same timeframe.

66. While provision of accommodation remains a priority for both IDPs and the Government, the authorities also updated the delegation about the Agency’s latest steps to assist the IDPs on access to livelihoods. During the period under review, the Government continued to provide monthly allowances and one-time monetary assistance based on an assessment of the level of income and needs through a scoring system. Approaching a full needs-based approach, legal amendments entered into force according to which children born after 1 January 2023 will no longer be accommodated by the state, being henceforth considered as part of a family already provided with DHS.

67. In the light of the magnitude of displacement, it is understood that further reforms are necessary to improve IDPs' socio-economic conditions and address the substantial challenges in terms of access to employment, healthcare and education. In this context, the delegation was informed that a needs assessment with a view to preparing a new strategy had been scheduled for the end of the year.

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

IV.1 Operational activities

IV.1.i DG II/Youth

68. Youth leaders and facilitators from both sides of the OL previously took part in the 2023 Youth Peace Camp held on 4-11 July in Strasbourg. The activity was successful in supporting dialogue among the young people present; the participants also committed to develop follow-up initiatives or activities within their communities and youth groups. Preparations are currently underway to allow for a similar involvement in the July 2024 Peace Camp, possibly leading to the support of local youth initiatives for dialogue.

IV.1.ii Operational activities on confidence-building measures and their follow-up

69. During the reporting period, the Secretariat implemented the programme of CBMs aimed at promoting reconciliation and dialogue efforts in close co-ordination with the Office of the State Minister of Georgia for Reconciliation and Civic Equality and the Liaison Mechanism.

70. Support to the dialogue on archives between professionals from Sukhumi and Tbilisi continued and gave rise to an official presentation of joint publications, subsequently in Tbilisi, on 22 June 2023, and in Sukhumi, on 13 November 2023.

71. At the invitation of the Secretariat, the winners of the 2023 Youth Peace Award, an initiative of the Office of the State Minister for Reconciliation and Civic Equality of Georgia focusing on the role of youth in peacebuilding processes, attended the 11 World Forum for Democracy (WFD) on 6-8 November 2023 in Strasbourg. It is planned to institutionalise this co-operation for future editions of the Youth Peace Award and to ensure annual attendance at the WFD by young people from both sides of the OL.

72. Interlocutors met by the delegation in Tbilisi stressed the importance of the continuity and regularity of CBMs and in general people-to-people contacts to preserve the long-established dialogue and the trust built between all actors concerned.