

Information Documents

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Consolidated report on the conflict in Georgia (April – September 2024)

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

Introduction

1. At their 1080th meeting on 24 and 26 March 2010, the Ministers' Deputies (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 30th consolidated report covers the period April - September 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 12-13 September 2024 and had the opportunity to discuss the situation with the Georgian authorities, as well as representatives of international organisations and the expert community. 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), 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 (hereafter "the Court").

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.² 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.

² CM/Del/Dec(2024)1498/2.1 (latest decision of the Ministers' Deputies of 7 May 2024).

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 (EU), and the implementing measures of 8 September 2008.

I Update on major developments in the period under review

9. The 60th and 61st rounds of the GID were respectively held on 4-5 April and 25-26 June 2024 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 unique platform addressing the conflict consequences since 2008. As per usual practice, both rounds convened in two parallel working groups on security and humanitarian issues.

10. In their press communiqué, the Co-Chairs assessed the security situation on the ground as relatively stable, noting that the 60th round allowed for substantive exchanges of views on core agenda items. They simultaneously called on the participants to think about innovative and constructive approaches to achieve progress and concrete results for the benefit of the conflict-affected population and lasting peace.³ Despite discussions being qualified as challenging, the 61st round managed to address several humanitarian issues, including freedom of movement, documentation, detentions, missing persons and medical evacuations. Delegations furthermore welcomed the smooth co-operation over irrigation water sharing established in the framework of the Ergneti Incident Prevention and Response Mechanism (IPRM). The Co-Chairs also reiterated the importance of resuming the Gali IPRM without delay.⁴ As in previous instances, the issue of internally displaced persons and refugees could not be discussed in either meeting, due to a walkout by some participants. The 62nd GID round is scheduled for 5-6 November 2024.

11. During both sessions, the authorities in control of the Georgian regions of Abkhazia and Tskhinvali region/South Ossetia reiterated earlier Russian calls to relocate the GID, considering that Geneva no longer provided for a “neutral venue offering equal conditions for all participants of the negotiation process”. These statements however did not produce formal consequences, with no change of venue being foreseen for upcoming rounds.

12. The Georgian Government assessed that the ongoing Russian military aggression against Ukraine continued to negatively impact discussions in Geneva. At the same time, it 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 Ceasefire Agreement of 12 August 2008 and the implementing measures of 8 September 2008.⁵

³. Press communiqué of the Co-Chairs of the Geneva International Discussions, 5 April 2024.

⁴. Press communiqué of the Co-Chairs of the Geneva International Discussions, 26 June 2024.

⁵. 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.

13. With regard to observed developments in the Georgian region of Abkhazia, several interlocutors expressed their apprehension as to an increasingly restricted space for reconciliation and engagement policy, with threatening rhetoric, political pressure and legal uncertainty converging towards a chilled environment for actors involved in CBMs, thereby affecting existing channels of communication and co-operation.

14. Civil society representatives reportedly continued to experience difficulties crossing the Psou checkpoint at the Georgia-Russia border, being subject to lengthy interrogations by so-called representatives of FSB (Russian Federal Security Service). Some critical organisations allegedly had their bank accounts frozen. While the examination of the “draft law on non-profit organisations and individuals acting as foreign agents” remained stalled after triggering major opposition, several interlocutors pointed to the overall climate of political uncertainty and the risk of similar initiatives being rekindled in the run-up to the so-called “presidential elections” scheduled for March 2025.

15. For its part, the Georgian Government raised concern as to observed attempts to condition access of humanitarian actors on particular conduct and activities deemed incompatible with Georgia’s sovereignty and territorial integrity.

16. The delegation’s attention was finally drawn to the increased pressure exerted by the Russian Federation on the de facto authorities, with the effective suspension of social funding as of 1 September 2024 and the announcement of commercial rates hence to apply to electricity supplies. In addition, Moscow reportedly threatened with the selective revocation of Russian citizenship in order to obtain the fulfilment of earlier “commitments”. The latter include the adoption of the so-called “apartment law”, designed to ease the purchase of immovable property by Russian citizens in the eastern part of the region, the so-called “agreement on the implementation of investments projects by Russian legal entities in the territory of Abkhazia” and the “ratification” of the so-called agreement on judicial and arbitration decisions in economic matters. This first so-called “draft apartment law” was withdrawn by the de facto authorities on 25 July 2024 in order to appease flaring tensions and related protests.

17. Against this backdrop, the Georgian authorities furthermore denounced the continued alignment of the Georgian region of Abkhazia with Russian strategic and economic interests, illustrated over recent months by progressive infrastructure developments preparing the ground for a Russian naval base in Ochamchire and the ongoing restoration of the Sukhumi airport. According to several interlocutors, both assets are mainly envisaged as military hubs enhancing Russia’s capability to quickly move troops into the region.

18. With regard to recent developments in the Georgian region of Tskhinvali/South Ossetia, the Georgian Government strongly condemned the illegal so-called “parliamentary elections” held on 9 June 2024, pointing to another gross violation of the country’s sovereignty and territorial integrity within its internationally recognised borders.

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

19. Below 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.*

20. 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 again emphasised the importance of taking into account evolving geopolitical realities in the strategic review process of the “State Strategy for De-Occupation and Peaceful Conflict Resolution” and the 2010 Engagement Strategy and its associated Action Plan.

21. As previously reported, 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. The Deputies subsequently 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.⁶ The Georgian Government submitted its observations under Article 41 of the European Convention on Human Rights (hereafter “the 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 damages suffered by an identifiable group of individual victims of the above-listed breaches of the Convention.

⁶ CM/Del/Dec(2023)1479/2.1, 31 October 2023.

22. Most recently, the Committee of Ministers examined the case of *Georgia v. Russia (II)* at its 1507th meeting (September 2024) (DH), noting with concern that no payment of just satisfaction awarded by the Court had yet been made, while the deadline for payment had expired on 29 July 2023.⁷ Recalling the unconditional obligation to implement the Court's judgments under Article 46, paragraph 1 of the Convention, the Deputies underlined that the default interest continued to accrue on the amount awarded by the Court and that on 17 September 2024, the total amount owed by the Russian Federation was EUR 141 183 849.33. It strongly urged the Russian authorities to pay without any further delay. Moreover, the Deputies 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 purposes of bringing the perpetrators to justice. They also firmly reiterated their deepest concern about the inability of Georgian nationals to return to their homes, and strongly insisted that the Russian Federation, having 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.

23. On 9 April 2024, the Court (Second Section) delivered a judgment on the merits in the inter-State case *Georgia v. Russia (IV)* (no. 39611/18), referring to the ongoing "borderisation" process as "one of the most painful legacies of the August 2008 armed conflict".⁸ When lodging the application in August 2018, the Georgian Government had denounced the deterioration of the human rights situation along the Occupation Line (OL), alleging in particular that people had been killed, arrested, illegally detained and/or ill-treated for "illegally crossing", while also pointing to farmers deprived of their land, families being separated and children forced to choose between learning in Russian or making long and perilous journeys to Tbilisi-administered-territory to attend school. In its judgment, the Court found that it had sufficient evidence to conclude beyond reasonable doubt that the incidents alleged were not isolated and were sufficiently numerous and interconnected to amount to a pattern or system of violations. It also noted that the apparent lack of an effective investigation into the incidents and the general application of the measures to all people concerned proved that such practices were officially tolerated by the Russian authorities. The Court thus held that there had been violations of the right to life, the prohibition of inhuman or degrading treatment, the right to liberty and security, the right to respect for private and family life, the right to protection of property, the right to education and the right to freedom of movement. The question of just satisfaction under Article 41 was reserved.

24. 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 2022.⁹ 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.*

⁷ CM/Del/Dec(2024)1507/H46-28.

⁸ *Georgia v. Russia (IV)*, Application No. 39611/18, judgment of 9 April 2024, paragraph 11.

⁹ Statement of the Prosecutor of the International Criminal Court, 16 December 2022.

25. 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 still remain unaccounted for as a result of the armed conflicts, also accompanying their families. The 16th meeting of the *“Coordination Mechanism on the persons unaccounted for in connection with the 1992-1993 armed conflict and aftermath in Abkhazia”* took place on 29 May 2024 in Istanbul, Türkiye. Bringing together Georgian, Ossetian and Russian participants, the 19th and 20th meetings of the *Coordination Mechanism* respectively convened on 14 March and 27 September 2024 in Ergneti, Georgia, presenting an update on progress made while discussing ongoing challenges related to an effective search, recovery and identification process.

26. 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. In this context, the delegation’s interlocutors specified that a total of 29 individuals had been identified and returned to their families since January 2024. Moreover, the gradual transition of certain tasks undertaken by the ICRC to the Georgian authorities continued. Following the signature of a dedicated Memorandum of Understanding (MoU) on 1 August, the entire *Accompaniment for the Families of the Missing Persons* programme was successfully transferred to the Office of the State Minister for Reconciliation and Civic Equality (SMR). Discussions on transfers of tasks and responsibilities took place in Sukhumi and Tskhinvali in co-operation with relevant stakeholders and family representatives. On 30 August 2024, the “International Day of the Disappeared” (IDoD) was entirely organised by respective local structures, hence illustrating full ownership of the commemorative ceremonies.

27. 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. In Abkhazia, the ICRC also delivered assistance to particularly vulnerable families and individuals, including dedicated help to elderly people in the remote Kodori Gorge. Since January 2024, the ICRC facilitated a total of 165 medical evacuations for beneficiaries from Tskhinvali region/South Ossetia.

28. 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 the UNDP (financed by the EU), operated uninterrupted, facilitating the delivery of humanitarian aid.

29. The international community also contributed to the overall goal of peacebuilding by fostering dialogue between conflict-affected communities across dividing lines. In this context, all interlocutors pointed to the tangible positive impact of projects facilitating people-to-people contacts, emphasising the importance of upholding this engagement.

30. At the same time, as reported above, concerns were raised as to continued attempts to undermine CBMs, having become subject to extraordinary scrutiny, bureaucratic hurdles and hostile rhetoric by the authorities in control. The overall operating environment was generally assessed as difficult and unpredictable, characterised by widespread legal and political uncertainty. Several interlocutors observed an unequal and selective approach being applied to access, noting that the practice of granting so-called multi-entry visas had largely ceased. While some UN agencies had indeed encountered obstacles with access, most of them were so far not significantly impeded in their ability to travel and operate. It was however reported that their partner NGOs were subject to continued pressure, stigmatisation and intimidation by security actors.

31. 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.

32. The Georgian authorities continued to provide conflict-affected populations with free medical treatment during the entire reporting period. Since April 2024, 2 830 persons thus benefited from free treatment under the dedicated State Referral Healthcare Service Programme for a total cost of 7,64 million GEL, involving 851 patients from the Georgian region of Abkhazia, 183 from Tskhinvali region and 1 796 patients living in villages adjacent to the OL. Over the same period, 119 persons were transported by ambulance to hospitals in Tbilisi-controlled-territory under the programme “*Ambulance, Emergency and Medical Transportation*”, out of which 53 patients from the Georgian region of Abkhazia and 66 patients from the Tskhinvali region. Within the ambulance component of the programme, 397 ambulance calls were made from both regions. The recently introduced possibility for holders of status-neutral identification numbers to enrol in specialised programmes operated by the Health Ministry allowed to significantly expand the number of beneficiaries. Support provided by the Georgian Government furthermore comprised of various pharmaceuticals and vaccines, the delivery of which was facilitated under the Liaison Mechanism and by international partners.

33. The Georgian Government reiterated its commitment to peaceful conflict resolution through a pragmatic and humanitarian approach, as illustrated by its flagship peace initiative entitled “A step to a better future”. Cross-OL trade continued to be fostered through simplified status-neutral procedures for business registrations and commercial grants, thereby improving the socio-economic situation of the conflict-affected population. Since its inception in 2020, the “Peace Fund for a Better Future” successfully provided support to over 120 joint business projects, operating with contributions from international partners. In spring 2024, the launch of its fifth call triggered numerous applications, with 23 being selected for funding. A sixth call for applications under the grant scheme is scheduled in the autumn.

34. In the field of education, as part of the same initiative, the government pledged continued support to the enrolment of students from the Georgian regions of Abkhazia and Tskhinvali region / South Ossetia in Georgian universities. Accordingly, 197 students were admitted to Georgian higher education institutions in 2024, 192 of which without exams. The delegation was informed about the effective resumption of the post-secondary integration programme – which forcibly paused in 2020-2022 due to the pandemic – ahead of the 2024-2025 academic year. Meant to facilitate the integration of school graduates into Georgian higher education institutions, the latter offers one-year needs-based training in the Georgian language and specific subjects, also providing tuition fees, accommodation, and monthly scholarships. An initial number of 18 students registered in the revived programme for the forthcoming academic year. The Social Programme of the Ministry of Education, Science and Youth of Georgia (MoESY) provided financial assistance to students from both regions. The Georgian Government also provided financial assistance to teachers and administrative technical staff of schools, kindergartens and art schools. Students were provided with textbooks and portable computers, while teachers received online and in-person (Zugdidi) trainings in all 30 schools of the Gali district. Throughout 2024, 196 youngsters – from both regions and holding IDP status – participated in Youth Camps.

35. The SMR also maintained close co-operation with conflict-affected women and women-led CSOs working on peacebuilding issues. Meetings were held in villages adjacent to the OL to identify needs and raise awareness about state services available to victims of gender-based violence. A grant competition was incorporated into practical training courses on entrepreneurship offered to conflict-affected women.

36. During the reporting period, the SMR furthermore finalised a unified information portal with the support of the UNDP. Put online in July 2024, the website www.openbf.info hence serves as a consolidated platform offering comprehensive and user-friendly information in Georgian, Abkhazian, Ossetian and English language about all programmes, services and benefits available to residents of the Georgian regions of Abkhazia and Tskhinvali region/South Ossetia.

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

III Human rights situation in the areas affected by the conflict

38. The Georgian authorities pointed to continued illegal so-called “borderisation” processes, involving the ongoing installation of barbed-wire fences, artificial barriers and surveillance systems. Successive military exercises held in the Georgian regions of Abkhazia and Tskhinvali region / South Ossetia reportedly gave rise to repeated violations of Georgian airspace by Unmanned Aerial Vehicles (UAVs) and Russian military helicopters. While no deadly incidents occurred since March 2024, several interlocutors observed a persistent climate of intimidation and an overall tense security environment, which continued to be negatively impacted by the ongoing Russian aggression against Ukraine. In this context, the Georgian authorities signalled a meaningful rise in the number of illegal detentions, particularly marked since the start of the hunting season. In total, no less than 40 illegal detentions were registered between April and September 2024, with respectively 17 and 23 cases in the Georgian regions of Abkhazia and Tskhinvali region/South Ossetia. Almost one third of all arrests resulted in prolonged illegal custody.

39. The Georgian authorities furthermore noted that all unresolved cases remained unaddressed, deploring a manifest lack of effective investigations into the killings of Giga Otkhozoria, Davit Basharuli, Archil Tatumashvili, Irakli Kvaratskhelia, Inal Jabiev, Temur Karbaia and Tamaz Ginturi. Various interlocutors denounced the overall sense of impunity surrounding crimes committed against ethnic Georgians, highlighting the pressing need to ensure accountability for grave human rights violations.

40. Throughout the reporting period, unilateral restrictions on free movement of people and goods continued to affect the daily lives and enjoyment of 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, free movement 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 – prompted further alienation and displacement, thereby exacerbating the demographic ageing and population decline of the Gali district.

41. The Georgian authorities finally reiterated their concerns about the state of Georgian religious and cultural heritage in both regions with several historic monuments having reportedly suffered deliberate stylistic alterations and irreversible damage.

III.1 Reports on the Georgian region of Abkhazia, Georgia

III.1.i Security

42. The Gali Incident Prevention and Response Mechanism (IPRM) under the auspices of the United Nations remained suspended despite previous signals by the authorities in control on alternative venues being explored to overcome existing disagreements between participants. Accordingly, no IPRM meetings were held during the period under review. The Georgian Government expressed regret over observed attempts by the authorities in control to bargain with unacceptable conditions, deploring excessive demands which further prevented the recovery of the halted format. The EUMM-facilitated hotline continued to operate without interruption.

43. The delegation was informed about the continuation of illegal “borderisation” activities, including the installation of barbed wire fences, the digging of so-called anti-fire trenches and the use of modern surveillance equipment to trace the movements of the local population. The Georgian authorities assessed that the trend of imposing artificial barriers and other restrictions had noticeably intensified amid the ongoing Russian military aggression against Ukraine. While no deadly incidents occurred during the reporting period, the number of apprehensions and security incidents however appeared to be on the rise. The Georgian authorities also expressed strong indignation over the impunity for the so-called “law enforcement officers” having allegedly beaten to death Georgian citizen Temur Karbaia in the centre of Gali in December 2023. Following a decision by the so-called Gali District Court, both men were released on 28 May 2024 and merely ordered to pay a fine.

44. On 17 September, EUMM monitors conducting a routine patrol in the Khurcha area were briefly held by “security actors” before being released unharmed. The EUMM subsequently expressed deep concern over actions obstructing its monitors from carrying out their mandated activities, noting that incidents of this nature would undermine efforts to build confidence and prevent tensions.

III.1.ii Freedom of movement

45. Regular cross-OL movement continued throughout the reporting period. During the summer season, the statistical average slightly increased, reaching approximately 2 500 daily crossings over the Enguri bridge and 270 daily crossings over the smaller pedestrian Saberio-Pakhulani “crossing point”. Delays with obtaining documents for crossing purposes nonetheless further impacted freedom of movement for local residents wishing to enter Tbilisi-controlled-territory (see section on identity documents).

46. The Georgian authorities observed that the malpractice of illegal detentions persisted and even intensified, pointing to a troubling rise in the number of apprehensions and subsequent prolonged detentions over the last few months. Of the 17 cases registered since April 2024, nine still remain active. It would also appear that not all cases were notified in a timely and detailed manner via the EUMM-managed hotline, with information requests by the Georgian authorities being occasionally denied or even ignored. In this context, the latter expressed concern as to a decreasing responsiveness potentially undermining trust in information communication through the hotline.

47. As regards the active cases, the Georgian Government reiterated strong concern regarding the poor health condition of Irakli Bebuia, who was illegally sentenced to nine years in prison 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 the most vulnerable groups.

III.1.iii Humanitarian situation

48. The humanitarian plight of the ethnic Georgian population continued to draw attention. The reopening of two “crossing points” – while remaining subject to arbitrary closures – generally allowed for better access to basic rights, pensions, services and livelihoods in Tbilisi-controlled-territory, including to medical facilities and markets in Zugdidi. Following the extension of categories of goods allowed to be traded through the OL, commercial activity continued to rebound in 2024.

49. 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

50. 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, employment and property rights.

51. 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 so-called 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.

52. While lengthy delays of obtention were significantly reduced in 2024, arbitrary practices persisted with grounds for rejection remaining open to interpretation. The need to prove permanent residence further created difficulties for students and people employed on Tbilisi-administered-territory. Despite the validity of the (temporary) “Form N° 9” having reportedly expired on 31 December 2023, extensions still appear granted upon request.

53. No significant developments were observed as to previously announced regulatory changes by which ethnic Georgians could potentially apply for so-called “Abkhaz passports” provided they denied their Georgian identity by changing their last names. Instead, the authorities in control passed new amendments to their so-called “citizenship laws” on 3 June 2024, adding restrictions for “those involved in the 1992-1993 Georgian-Abkhaz war”. Applicants seeking so-called “Abkhaz citizenship” are hence to prove continuous residence in the region for 25 years. In parallel, the Georgian authorities reiterated concerns as to the continuous pressure exerted on holders of Georgian passports, denouncing numerous intimidation attempts meant to counter the 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

54. Access to mother tongue-based education in Georgian remains unavailable as it was completely phased out in 2022 in kindergartens, preschool institutions and schools. The instructional process predominantly takes place in Russian and to a very limited extent in Abkhazian. According to available data for the 2024-2025 academic year, the situation with regard to Georgian language teaching appears to have further deteriorated. While Georgian language and literature are precluded in all schools in Tkvarcheli and Ochamchire, both subjects continue to be taught from the 1st to the 11th grade in 18 (out of 19) schools in Gali. However, dedicated courses are strictly limited to a few hours per week. As a result, the number of pupils enrolled in these schools steadily decreases, further contributing to the ageing of the local population and to the risk of closure of schools with a low enrolment. The Georgian authorities strongly denounced these restrictions as yet another manifestation of discrimination and an attempt to undermine the Georgian identity and culture, contrary to international standards.

55. Several interlocutors also voiced apprehension about continued instances of pressure on ethnic Georgian teachers in Gali, especially those educated in Tbilisi-administered territory, some of whom were forced out of their positions. The remaining teachers are prohibited from working in their native language and from organising events and communicating with students in Georgian. The forced transition to Russian-language tuition has obliged many of them to undergo re-qualification, thus negatively affecting the quality of education.

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

III.2.i Security

56. Overall, the situation along the OL continued to be assessed as tense but relatively stable. The ongoing “borderisation” process – mainly involving the maintenance and installation of fences and the reinforcement of observations posts – further raised concern as to additional adverse effects on the local population. Helicopter and UAV flights gave rise to numerous activations of the EUMM-operated hotline.

57. 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 within the IPRM format.

58. 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. The 119th meeting on 16 May 2024 was attended by the newly appointed EUMM Head of Mission Bettina Patricia Boughani. While reiterating the consistent call for the full re-establishment of freedom of movement, both co-facilitators welcomed the opening of two “crossing points” during the Orthodox Easter festivities, allowing local communities of both sides to celebrate by visiting relatives and accessing religious sites. They also praised the constructive technical meeting on irrigation water previously held on 26 April 2024.¹⁰ At the 120th meeting on 23 July 2024, the co-chairs again commended the sustained commitment of all participants to the format. They nevertheless voiced concern about the continued practice of detentions, advocating for the release of all detainees. Moreover, the importance of advancing work related to the sharing of irrigation water during the dry summer months was further emphasised.¹¹ The 121st IPRM on 12 September 2024 kept an active focus on the latter aspect, with participants highlighting the crucial role of the EUMM-managed hotline in enabling swift and accurate information exchange on water levels and resolving related issues. They further agreed on a dedicated separate technical meeting in November to review lessons learnt and plan future work.¹² 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.

¹⁰ Press release, OSCE, 119th Incident Prevention and Response Mechanism meeting takes place in Ergneti, 16 May 2024.

¹¹ Press release, OSCE, 120th IPRM meeting takes place in Ergneti, 23 July 2024.

¹² Press release, OSCE, 121st IPRM meeting takes place in Ergneti, 12 September 2024.

59. Several interlocutors yet also reported that the authorities in control had simultaneously renewed earlier accusations against the EUMM, alleging its monitors had “violated” the OL during patrols and threatening “relevant measures” if similar incidents were to happen again. In addition, the Georgian authorities referred to recently observed attempts by the Russian delegation to import GID-relevant topics into the – by essence depoliticised – IPRM discussions, pointing to another alarming trend.

60. The Georgian Government further continued to insist on the need for accountability and on a proper investigation into the murder of Mr Ginturi, deeply deploring that the Russian side maintained its claims as to a perpetrator having acted according to operational rules on the use of firearms, therefore denying any grounds to charge him.

III.2.ii Freedom of movement

61. While freedom of movement remained significantly restricted due to the closure of the OL, temporary openings of the Mosabruni/Odzisi and Kardzmani “crossings points” were sustained between the 20th and 30th of each month, allowing people to take advantage of medical care, services and livelihood opportunities within this limited timeframe. In addition, both “crossing points” were temporarily re-opened during the Orthodox Easter holidays. The Georgian authorities however noted that this partial relaxation of the crossing regime continued to solely apply to residents of several villages of the Akhagori District and the villages of Kardzmani and Sinaguri of the Java district.

62. In 2023, crossings in and out of Akhagori reached a daily average of respectively 224 (Odzisi) and 31 people (Kardzmani), many of which were women and children. In July 2024, figures peaked at a daily average of respectively 450 and 75 crossings. Beyond a seasonal trend usually observed over summer, this temporary increase also appeared related to a one-time release of higher numbers of new so-called “permits” (see section on identity documents).

63. The delegation was furthermore informed of 23 cases of illegal detentions by so called “border guards” since April 2024, with ten cases still remaining active. Pointing to a significant increase in numbers compared to previous years, several interlocutors also highlighted frequent cases of ill-treatment and various instances of prolonged illegal custody.

III.2.iii Humanitarian situation

64. The protracted 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.

65. 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.

66. 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. Cumbersome administrative procedures nevertheless generated undue delays in rare cases.

III.2.iv Identity documents

67. The burdensome access to so-called “permits” (*“Propusks”*) – used for crossing purposes – remained of concern, also in light of reported arbitrary practices and different validity periods. An exceptional increase in the number of issued “permits” was yet reported in the run-up to the illegal so-called “parliamentary elections” held in June 2024.

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

68. 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. Various programmes implemented by the Russian Federal Agency for the Commonwealth of Independent States, Compatriots Living Abroad and International Humanitarian Cooperation (*“Russotrudnichestvo”*) continued to sustain an active policy of russification. The compulsory teaching in Russian language forced the persons wishing to receive an education in their native Georgian language to relocate to Tbilisi-administered-territory.

III.3 The situation of internally displaced persons

69. 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. On 4 June 2024, the UN General Assembly adopted the resolution *“Status of internally displaced persons and refugees from Abkhazia, Georgia and the Tskhinvali region/South Ossetia, Georgia”* (A/79/L74) by a vote of 103 in favour to 9 against, with 53 abstentions.

70. According to the Georgian authorities, 298 471 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. The Action Plan for IDPs for 2023-2024, which was adopted through a participatory process, is being actively implemented.

71. As regards durable housing solutions (DHS), several programmes are conducted by the Agency for Internally Displaced Persons, Ecomigrants and Livelihood. They include purchasing of individual apartments and their subsequent transfer to the IDPs’ private ownership, engaging in large-scale construction of new apartments across five territorial units (Tbilisi, Kutaisi, Rustavi, Zugdidi and Borjomi), privatisation of residential properties, granting rent subsidy as well as providing temporary accommodation in case of emergency. According to the authorities, some 53 000 (58%) of all IDP families are to date provided with DHS. The delegation’s interlocutors also reiterated the Georgian Government’s intention to accommodate all IDPs in crucial need by 2026, implying the closure of all remaining collective centres within the same timeframe.

72. While the provision of accommodation remains listed as a core priority for both IDPs and the government, the authorities also specified the Agency's latest steps to assist the IDPs on access to livelihoods through dedicated programmes. During the period under review, the government indeed continued to provide monthly allowances and one-time monetary assistance based on an assessment of the level of income through a scoring system. Since January 2024, 13 964 IDP families to date received one-time subsidies, totalling 1 629 025 GEL. In addition, several hundreds of IDPs benefited from specific projects supporting professional education and self-employment, with 30 small and medium enterprises receiving funding under the Entrepreneurial Support Programme. In this context, the authorities announced an upcoming increase in resources allocated to IDP employment and business-development with a view to reaching a higher number of beneficiaries in 2025.

73. 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. Against this backdrop, the authorities confirmed that a needs assessment with a view to finalising a follow-up strategy by December 2024 was currently underway.

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

IV.1 Operational activities

IV.1.i DG II/Youth

74. Youth leaders and facilitators from both sides of the OL took part in the 2024 Youth Peace Camp (2-11 July, Strasbourg). The activity was successful in supporting dialogue among the young people. Participants also committed to develop follow-up initiatives or activities within their respective communities and youth groups. Educational and financial support to local follow-up initiatives by former participants is also put into place for participants of the 2023 and 2024 Peace Camps.

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

75. 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.

76. Support to the dialogue on archives between professionals from Sukhumi and Tbilisi continued. A meeting of the archives group was held in Venice from 29-30 April 2024 with the involvement of the Secretariat, and a further meeting is planned for November 2024. Renewed participation of the winners of this year's Youth Peace Award of the SMR at the 12th World Forum for Democracy on 6-8 November 2024 is also foreseen.

77. In this respect, the delegation's interlocutors in Tbilisi explicitly 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.