

# **Information Documents**

SG/Inf(2023)15

3 April 2023

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Consolidated report on the conflict in Georgia (November 2022 – March 2023)

#### Introduction

- 1. At their 1080th meeting on 24 and 26 March 2010, the Ministers' Deputies took the following decision: "The Deputies, restating the previous decisions of the Committee of Ministers, invited the Secretary General to prepare his consolidated report on the conflict in Georgia based on his outline and taking into account the comments made during the present meeting".
- 2. It is recalled that the objective of the report is to take stock of the situation in Georgia following the 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 27th consolidated report covers the period between November 2022 and March 2023. 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 2023 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 Administrative Boundary Line (ABL). 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 continued to pursue her efforts 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 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.

- 7. It is a fundamental objective of the member states of the Council of Europe to uphold the territorial integrity of Georgia. It is to be reminded that in their successive decisions, the Deputies reiterated their unequivocal support for the sovereignty and territorial integrity of Georgia within its internationally recognised borders. 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.
- 8. This report does not prejudge or infringe upon a possible future political settlement of the conflict within the framework of the Geneva International Discussions (GID), nor the implementation of the six-point 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. On 31 January 2023, the Co-Chairs of the Geneva International Discussions made a statement to reiterate the full commitment of their respective organisations to the GID process.<sup>2</sup> It was noted that the next round of the Discussions, due to be held at the end of February 2023, had been postponed to early April 2023 due to timing issues.
- 10. The Co-Chairs, in their statement of 31 January 2023, reaffirmed their readiness to engage in consultations in person with all participants, both on the process generally and on the upcoming meeting.<sup>3</sup> The Co-Chairs travelled to Tbilisi on 6-7 February, but were unable to conduct further planned visits following the announcement of the postponement of the Discussions to April 2023.
- 11. The Georgian Government reiterated to the delegation its deep concern with respect to the preparation of a so-called transfer of the Bichvinta estate in Abkhazia, Georgia, to the Russian Federation.
- 12. The delegation was informed by Georgian authorities that on 29 December 2022, the "agreement" on the settlement of issues of "dual citizenship" with the Russian Federation of September 2022, which would facilitate the obtention of Russian citizenship without giving up a so-called Abkhaz "passport", had been "ratified" in Abkhazia, Georgia.

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

13. 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).

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<sup>&</sup>lt;sup>1</sup> CM/Del/Dec(2022)1433/2.1 (latest decision of the Ministers' Deputies of 4 May 2022).

<sup>&</sup>lt;sup>2</sup> Press communiqué of the Co-Chairs of the Geneva International Discussions, 31 January 2023.

<sup>&</sup>lt;sup>3</sup> Press communiqué of the Co-Chairs of the Geneva International Discussions, 31 January 2023.

- 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.
- 14. During the reporting period the Georgian Government reiterated its commitment to peace and continued its efforts aimed at creating a new strategic approach while working on a policy review of its engagement strategy. The delegation was informed that the elaboration of the "State Strategy for De-Occupation and Peaceful Conflict Resolution" and the strategic review of the 2010 Engagement Strategy and its Action Plan were ongoing, with the deadlines postponed in light of the volatile security situation in the wider region, stemming from the aggression of the Russian Federation against Ukraine.
- 15. As reported previously, the European Court of Human Rights delivered its judgment on the merits on 21 January 2021 in the inter-state application (II) No. 38263/08 *Georgia v. Russia* concerning the armed conflict between Georgia and the Russian Federation in 2008 and its consequences. The Deputies recalled in their decision of 4 May 2022 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. The question of the application of Article 41 of the Convention has been reserved. The Government of Georgia submitted its observations under Article 41 of the Convention in January 2022, accompanied by the list of victims.
- The Committee of Ministers examined the case of Georgia v. Russia (II) at its 1451st meeting (December 2022) (DH) and its 1459th meeting (March 2023) (DH). In its Interim Resolution of the 1451st meeting, the Committee underlined the necessity for the respondent state to take urgent and tangible measures to ensure cessation as well as elimination of the root cause of the violations found by the European Court and to avoid their repetition.<sup>6</sup> The Committee regretted the persistent lack of information on the concrete measures taken or envisaged by the Russian Federation to execute the judgment. The Interim Resolution further urged the authorities of the Russian Federation to submit to the Committee of Ministers a thorough and comprehensive action plan in this regard. It also called for the independent, effective, and prompt investigation of 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. The profound concern of the Committee about the inability of Georgian nationals to return to their homes was firmly reiterated, as was the insistence of the Committee that the Russian Federation, which the Committee noted has effective control over these regions, ensure without delay the safe return of persons wishing to return to their homes.

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<sup>&</sup>lt;sup>4</sup> CM/Del/Dec(2022)1433/2.1, 19 May 2022.

<sup>&</sup>lt;sup>5</sup> European Court of Human Rights, Press Release, Grand Chamber judgment in the case *Georgia v. Russia* (II), 21 January 2021.

<sup>&</sup>lt;sup>6</sup> CM/ResDH(2022)355, 8 December 2022.

- 17. Regarding the pending inter-state application (IV) 39611/18 lodged in August 2018, the proceedings were resumed on 25 May 2021, and the parties were invited to submit written observations on the admissibility of the application, which were transmitted to the Court between December 2021 and February 2022. The examination of the latter case is thus currently pending before the Court at its admissibility stage.
- 18. The investigation authorised by the International Criminal Court in January 2016 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.<sup>7</sup>
  - 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.
- 19. The delegation was informed that the International Committee of the Red Cross (ICRC) has continued its activities in support of efforts aimed at clarifying the fate and whereabouts of persons of the over 2 300 people that remain unaccounted for as a result of the armed conflicts, and support to their families. The ICRC continues to collect and analyse available data for the identification of missing persons, and conducted forensic capacity-building activities. Technical working groups continued the work launched in the last reporting period to facilitate a gradual handover of certain tasks currently undertaken by ICRC to the Georgian authorities. 12 sessions have been held since the establishment of the working groups in May and June 2022.
- 20. Visits to so-called "penitentiary structures" through the reporting period were continued by the ICRC, in order to assess and strengthen access to basic needs, establish family contact where needed, and to secure humane treatment and conditions of detention.
- 21. ICRC representatives conveyed to the delegation that the ICRC continued to undertake a range of activities, including supporting families separated by Administrative Boundary Lines (ABL), to establish and maintain contacts, and facilitating the reunification of families across ABLs. The delegation was also informed of the launch of winter assistance pilot initiatives to meet the needs of populations along the ABL.
- 22. The delegation was informed by its international interlocutors that, on the Georgian controlled territory, international organisations have continued to cater to the basic needs of people along the ABL. Medical supplies, protective equipment and training to local healthcare facilities have been provided along the ABL.

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<sup>&</sup>lt;sup>7</sup> Statement of the Prosecutor of the International Criminal Court, 16 December 2022.

- 23. In meetings with representatives of the international community, it was reported that, in the Georgian region of Abkhazia, the United Nations High Commissioner for Refugees (UNHCR), the United Nations Development Programme (UNDP), the World Health Organization (WHO) and the ICRC had provided financial and food assistance to the most vulnerable segments of the population, including isolated, older persons; worked to improve sanitation and hygiene in so-called "penitentiary structures"; and delivered guidance and material assistance to healthcare, laboratory and/or forensic facilities. The Liaison Mechanism, established within the Georgian Government's Engagement Action Plan and operating under the aegis of the UNDP (financed by the EU), also continued to facilitate, inter alia the delivery of various types of humanitarian and medical aid. All interlocutors underlined to the delegation the importance of the continuation of co-operation activities. The Georgian Government stressed concerns about the continuation and acceleration of restrictive measures taken in the Georgian region of Abkhazia that hampered the activities of international organisations operating on the ground and projects aimed at fostering dialogue between communities on both sides of the ABL.
- 24. As regards Tskhinvali region/South Ossetia, Georgia, access for international engagement has remained limited to the ICRC throughout the reporting period. It provided assistance targeting healthcare and forensic facilities, so-called "penitentiary structures", and older vulnerable people. The ICRC informed the delegation that it had continued to facilitate medical evacuations, including the transfer of patients from the Tskhinvali region/South Ossetia, Georgia, as well as the supply of orthopaedic assistance to vulnerable persons in the region. The Georgian Government assessed that overall access of humanitarian organisations is denied by the Russian Federation.
- 25. The delegation was informed that the Georgian Government had also offered humanitarian assistance to people living in the Tskhinvali region/South Ossetia, Georgia, but no proposal had been accepted.
- 26. Representatives of the Georgian Government have reiterated that their priority was to assist the conflict-affected populations as much as possible.
- 27. The delegation was informed that the Georgian Government continues to make available free access to healthcare, education and other social benefits for all residents of the Georgian regions of Abkhazia and Tskhinvali region/South Ossetia. Post-secondary education preparation programmes envisaged by the peace initiative "A Step to a Better Future" provided support to facilitate the enrolment of students in the higher education institutions of Georgian-controlled territory. The delegation was informed that for the year 2022, the absolute majority of graduates (230) from the Georgian regions of Abkhazia and Tskhinvali region/South Ossetia, were admitted to the higher education institutions of Georgia under a facilitated process. A further seven graduates enrolled within the "1+4" programme. In the field of healthcare, the state referral programme continued to be implemented, while vaccines, diagnostic tests, and pharmaceutical products have been put at the disposal of the conflict-affected populations throughout the reporting period (*inter alia* with the facilitation of international partners).

28. The delegation was informed by the Georgian Government that, in the framework of the implementation of the peace initiative "A Step to a better future", the Peace Fund was fully operational with contributions from international partners and was providing financing for a number of cross-ABL projects in the area of trade, with 75 joint-business projects funded by the Fund since its operationalisation in 2020. The Georgian Government also outlined steps taken to facilitate cross-ABL trade, such as by facilitating simplified status-neutral procedures for business registrations.

# III. Human rights situation in the areas affected by the conflict

- 29. Representatives of the Georgian authorities met by the delegation in Tbilisi pointed to the continued trend along the ABL of illegal, so-called "borderisation", processes, illegal detentions and unresolved cases, which on the whole contributes to the escalation of the situation on the ground and represents a further impediment and violation of the freedom of movement. The Georgian Government stressed the importance of ensuring the opening of "crossing points" without any hindrances to enhance access to families, agricultural lands, property, religious sites and ceremonies, as well as to healthcare, emergency services and education.
- 30. The delegation was informed that the human rights and humanitarian situation of the conflict-affected communities continued to be impacted by restrictions on freedom of movement, documentation issues, and obstacles on access to basic services. Although openings of "crossing points" were reported during the reporting period, they were accompanied by a number of impediments hindering full freedom of movement, including related to documentation issues (cf. below). The Georgian Government shared the view that all impediments to the full opening of "crossing points" serve a discriminatory purpose against ethnic Georgians.
- 31. The Georgian authorities continued to express concern about the state of monuments of cultural, historical and religious heritage located in the Georgian regions of Abkhazia and Tskhinvali region/South Ossetia, some of which were reported to have suffered irreversible damage.
- 32. The delegation was in particular informed that no progress had been achieved on the investigation demanded by the Georgian authorities into the deaths of Giga Otkhozoria, David Basharuli and Archil Tatunashvili, nor regarding the deaths of Irakli Kvaratskhelia and Inal Jabiev.

### III.1 Reports on Abkhazia, Georgia

# III.1.i Security

33. It continues to be the case that the Gali Incident Prevention and Response Mechanism (IPRM) remains suspended. No IPRM meetings were held during the period under review. The meetings have remained suspended for over four years. The importance of resuming them has been stressed by international actors and the Georgian Government. The EUMM-facilitated hotline continues to operate.

34. The delegation was informed that illegal so-called "borderisation" activities have continued during the period under review, including the extension of fences, the installation of new surveillance equipment, and increased monitoring around "crossing points".

#### III.1.ii Freedom of movement

- 35. The re-establishment of regular cross-ABL traffic of 5 July 2021 continued through the reporting period. The Georgian authorities conveyed to the delegation that the requirement for so-called "resident permits" for persons living in Gali continued to have had implications on freedom of movement for the populations who wish to cross to the Georgian controlled territory (cf. section on identity documents).
- 36. The Georgian authorities informed that illegal detentions have persisted, with the identification of eight illegally detained persons during the reporting period. The delegation was informed by interlocutors that those illegally detained were held in conditions which remain below minimum international standards.
- 37. The Georgian Government updated the delegation on the health situation of Irakli Bebua, who was illegally sentenced to a nine-year imprisonment in December 2020. The Georgian Government reiterated the need for his immediate release. The delegation was updated on the illegal detention of Kristine Takalandze for so-called "espionage" charges since 20 July 2022, and the illegal detentions of Asmat Tavadze in November 2022, and of Eka Jakonia. The Georgian Government highlighted the gender dimension of recent illegal detentions of Georgian citizens.

#### III.1.iii Humanitarian situation

38. The Georgian authorities and the international interlocutors stressed that the negative effects of the restrictions on freedom of movement continue affecting ethnic Georgian populations in the Georgian region of Abkhazia, in particular with regards to people's access to basic rights, services and livelihoods in the territory controlled by the Georgian Government.

#### Means of subsistence

39. Considering the long-term socio-economic challenges, international interlocutors stated that the continued opening of "crossing points" along the ABL had facilitated some access to pensions, benefits, affordable medicines and trade activities. The Georgian Government noted that an added level of fragility of the security environment amid the aggression of the Russian Federation against Ukraine had impacted prices in the Georgian region of Abkhazia, with inflationary pressures rising in the region.

#### Access to medical care

40. Urgent medical evacuations have remained available during this period. The Georgian Government ensured that the patients concerned were immediately transported to hospitals in the Georgian controlled territory. Immunisation programmes for routine vaccinations were continued during the reporting period. The delegation was informed that the State Health Programme "Ambulance, Emergency and Medical Transportation" maintained its functioning. The delegation was informed by the Georgian Government that 1 400 persons from Abkhazia, Georgia, accessed healthcare in Tbilisi-controlled territory in 2022.

### III.1.iv Identity documents

- 41. The Georgian authorities informed the delegation that plans in Abkhazia, Georgia, to abolish the temporary identification document, known as "Form No. 9" continued. It was suggested that this might have implications for up to 5 000 residents in Gali, affecting in particular the ability to cross into the Tbilisi-controlled territory and impacting property rights. It was stated that this had a particular impact on the isolation of certain demographics, especially the elderly population.
- 42. Gaps in so-called documentation continued to have an adverse impact on the status and effective enjoyment of rights of the ethnic Georgian population living in Gali, but also in Ochamchire and Tkvarcheli. It was reported by international interlocutors that the so-called "foreign temporary residence permits" continue to be issued and remain the only option for many ethnic Georgians, although it implies registering as so-called "foreign citizens". The Georgian authorities conveyed to the delegation the additional restrictions this documentation imposes on ethnic Georgians in Abkhazia, Georgia, in relation to residence, work, and the exercise of property rights. It was further noted that the five-year validity of many of these documents was expiring, after their introduction in 2017, with a lack of clarity on renewal increasing the vulnerability of holders of these documents.
- 43. The delegation was informed by Georgian authorities that the "agreement" on the settlement of issues of "dual citizenship" with the Russian Federation of September 2022, which would facilitate the obtention of Russian citizenship without giving up a so-called Abkhaz "passport", had been "ratified" in Abkhazia, Georgia on 29 December 2022.

### III.1.v Access to education

44. The situation of education in the Georgian language in schools in Abkhazia, Georgia, saw no progress in the provision of access to education in the native language reported. To recall, education in the Georgian language has been banned not only at schools but also at kindergartens in the Georgian region of Abkhazia. The existing measures are viewed by the Government of Georgia as a form of ethnic discrimination.

- 45. As per information provided to the delegation, restrictions on the number of hours of teaching the Georgian language continued into the new academic year beginning September 2022. To recall, it has been reported that currently, in 11 schools of the Tkvarcheli and Ochamchire districts, the Georgian language and literature are not taught at all. Regarding the situation in the whole of Gali, from the 1st grade to the 11th grade, one hour per week is devoted to the Georgian language and one hour to Georgian literature. Core subjects are taught in the Russian language. Teaching in the Abkhazian language has also been reportedly reduced to between one and four hours per week.
- 46. Various initiatives of the Georgian Ministry of Education and Science provided extra support for students in Abkhazia, Georgia, including financial assistance and training to teachers. Equally, the Georgian authorities informed the delegation that they continued to expedite enrolment in higher level education institutions on the Georgian controlled territory for students from Abkhazia, Georgia.

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

# III.2.i Security

- 47. Security observers informed the delegation that although no further incursions had been reported in the Chorchana-Tsnelisi section of the ABL during the period under review, the situation nevertheless remained unresolved and conducive to tensions. It was underlined again, as on the previous occasions, that the risk of close encounters and escalation remained high. The presence of military equipment on site represented a serious danger for stability, it was stressed. The representatives of the Georgian Government also emphasised that the situation was continuing to have a severe impact on the local population, including in terms of effectively denying people of their livelihoods and/or instigating a fear of accessing their properties.
- 48. During the reporting period, three IPRMs were held in Ergneti. In the 111th IPRM of March 2023, the co-facilitators took note of the release of two detainees and urged a humanitarian approach towards the resolution of existing detention cases. The co-facilitators advocated for the lifting of freedom of movement restrictions during the Easter holiday season, and reiterated calls for the full re-opening of "crossing points" for regular cross-ABL traffic. Discussions were also held on issues that negatively impact the lives and livelihoods of the population living along the ABL, including access to education and continued "borderisation" activities.

<sup>8</sup> Press release, OSCE, 111th Incident Prevention and Response Mechanism meeting takes place in Ergneti, 2 March 2023.

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<sup>&</sup>lt;sup>9</sup> Press release, OSCE, 111th Incident Prevention and Response Mechanism meeting takes place in Ergneti, 2 March 2023.

- 49. The co-facilitators also raised issues at the IPRMs in the reporting, including the issue of the expiration of crossing documents, and urged leniency to be applied on this matter. Concerns were also voiced by the co-facilitators about the continuously high number of active detention cases, and advocated for their immediate release. 11
- 50. During the period under review, the Georgian Government informed the delegation of instances of illegal so-called "borderisation" at several locations. This activity included the installation/reinforcement of observation posts, as well as new fencing and so-called "border signs".

#### III.2.ii Freedom of movement

- 51. The temporary openings of "crossing points" during the last 10 days of each month, previously announced to run until December 2022, continued throughout the reporting period. The delegation was informed by the Georgian authorities that the use of the "crossing points" was restricted to groups of persons living adjacent to the ABL. The Ergneti "crossing point" continued to be used on an ad hoc basis for medical evacuations and urgent cases. The delegation was informed by the Georgian authorities of their continued concern at the existence of impediments for medical evacuations.
- 52. Incidents of illegal detentions were reported as continuing through the reporting period. According to the representatives of the Georgian Government, there have been 10 cases during the reporting period. Of the 10 illegal detention cases reported to the delegation, the authorities informed that six of these were ongoing cases.

# III.2.iii Humanitarian situation

#### Means of subsistence

53. No positive trends were reported concerning the humanitarian situation in the region, especially in the Akhalgori district, where the delegation was informed by the Georgian authorities and international community of particularly dire socio-economic circumstances. Negative impacts from the extended closure of "crossing points" were reported to have continued to limit the entry of goods and food products, in addition to having hampered people's access to pensions and other social benefits they are entitled to in the Georgian controlled territory. Temporary openings of "crossing points" have been limited to pedestrian traffic, limiting the ability to resume trade.

<sup>10</sup> Press release, OSCE, 109th Incident Prevention and Response Mechanism meeting takes place in Ergneti, 10 November 2022.

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<sup>&</sup>lt;sup>11</sup> Press release, OSCE, 110th Incident Prevention and Response Mechanism meeting takes place in Ergneti, 17 January 2023.

#### Access to medical care

- 54. Restrictions on the opening of "crossing points" on the ABL continue to impact the access of residents from the Tskhinvali region/South Ossetia, Georgia, to medical facilities in the Georgian controlled territory. The Georgian Government reiterated to the delegation its continued concerns about the provision of timely medical evacuations in order to enable effective medical interventions and that assistance offered by the Georgian authorities had been refused. Particular alarm was noted by the Georgian authorities concerning delays in evacuation procedures that in one incident prevented timely medical treatment for an infant who died on 3 January 2023.
- 55. The delegation was informed that patients continued to be transferred to the Georgian controlled territory within the State Health Programme "Ambulance, Emergency and Medical Transportation" to receive relevant medical treatment.

# III.2.iv Identity documents

56. Georgian authorities informed the delegation that "permission documents" for accessing "crossing points" for the ethnic Georgian population in Akhalgori remains of concern, as it creates additional obstacles to the freedom of movement. Replacement documents for expired "permission documents" have been required since 30 November 2022 for persons wishing to use the "crossing points". The delegation was informed by international interlocutors that, during the reporting period, it was estimated that 20% of the necessary renewals had been carried out.

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

57. No progress has been reported during the reporting period regarding the situation of education in the Georgian language in schools in the Tskhinvali region/South Ossetia, Georgia. Previously expressed concerns about restrictions on access to education in the native language persist. Representatives of the Georgian Government denounced the existing measures as discrimination based on ethnicity.

#### III.3 The situation of internally displaced persons

- 58. During the period under review, no progress could be reported as regards the voluntary, safe, dignified and unhindered return of internally displaced persons (IDPs) and refugees on the basis of internationally recognised principles.
- 59. In the absence of conditions conducive to their return, the delegation was informed that the Georgian Government continued to provide IDPs with alternative durable solutions in terms of housing and improvement of socio-economic conditions. Representatives of the Agency for Internally Displaced Persons, Ecomigrants and Livelihood (Agency) informed the delegation that, to date, over 290 000 persons, constituting more than 91 000 IDP families, have been granted IDP status.

- 60. The delegation was informed about various activities of the Agency in 2022, which focused primarily on providing durable housing solutions and livelihood opportunities to the IDPs. Across 2022, a further 3 531 durable housing solutions had been provided by the Georgian Government within the framework of various resettlement programmes. This has brought the total number of IDP families with durable housing solutions to over 48 400.
- 61. Durable housing solutions for the totality of 2022 involved continuation of the purchase of individual houses and transferring them into private ownership of IDPs, as well as providing IDP families with accommodation in newly constructed buildings. For improving IDPs living conditions, the Agency continued to provide co-funding to condominium co-operatives in 2022 and transferring common spaces to condominium co-operatives. The Municipal Development Fund (MDF), within the framework of Municipal Infrastructure and IDP Housing Programme, financed the construction of buildings in Kutaisi, Tskaltubo and Zugdidi.
- 62. In terms of improving the socio-economic conditions of IDPs, the Agency continued to allocate to IDPs monthly allowances and provide one-time monetary assistance. In cases of urgent need, temporary accommodation was facilitated by the Georgian authorities.

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

# IV.1 Operational activities

#### IV.1.i DG II/Youth

63. Youth leaders and experts from both sides of the ABL took part in a Consultative Meeting on Renewing Peace Education, organised in Strasbourg in January 2023. The meeting recommended resuming the preparation of the 2023 Youth Peace Camp (4-11 July, Strasbourg) with the participation of groups of young people and facilitators from both sides of the ABL. This is currently underway, with the expectation that current obstacles to travel can be overcome.

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

- 64. All throughout the period under review, the co-ordination on Council of Europe confidence-building measures with relevant actors has been ensured. Close co-ordination has been maintained with the Office of the State Minister of Georgia for Reconciliation and Civic Equality and the Liaison Mechanism. Fully-fledged activities will be carried out as soon as the engagement conditions permit the previous regularity of people-to-people contacts with an aim of maintaining operational activities in areas where the pragmatic approach has enabled long-established dialogue and trust built between all actors concerned.
- 65. The group of archive specialists from both sides of the ABL continued to work in an online format. The group met in person in Istanbul on 7-8 February 2023 for the first time since the beginning of the public health crisis. In the exchanges, the participants shared information and documents, and discussed both new avenues for co-operation, as well as plans for the future presentations of the publications produced under the auspices of the project. These presentations will be carried out as soon as the situation permits. All actors involved in the project reiterated their willingness to continue working together.

66. In addition to the follow-up to previous initiatives, efforts have been initiated to facilitate dialogue between psychologists specialised in war traumas and on the prevention of gender-based violence on both sides of the ABL. Other proposals are currently under discussion with the Georgian Government and all stakeholders.