

15th Consolidated Report on the Conflict in Georgia

Comments and suggestions of the Georgian authorities

1. We would like to suggest using the following wording – “August 2008 Russia-Georgia war” throughout the whole text instead of “August 2008 Conflict” and “2008 armed conflict” (this applies to the paragraphs - 2, 13, 22, 23, 52, 54).
2. We would like to suggest using the following wording - “Georgian regions of Abkhazia and Tskhinvali region/South Ossetia” or “Abkhazia and Tskhinvali regions” throughout the whole text instead of “Abkhazia and South Ossetia” (this applies to the paragraphs – 5, 9, 10, 14, 16, 17, 19, 24, 27, 28, 29, 30, 31, 33, III.1, 39, 41, 42, 43, 47, III.2, 50, 53, 72, 75, 76).
3. We would like to change “ABL” into “occupation line”, in the whole text.
4. It would be correct to change the name of the city “Sukhumi” into “Sokhumi”, in the whole text, as well as “Inguri” into “Enguri” (this applies to the paragraphs: 33, 40, 68, 69, 71, 72, 76, and 78).
5. We would like to suggest using “12 August 2008 Ceasefire Agreement” throughout the whole text instead of “six-point agreement of 12 August 2008”.
6. We would like to suggest using term “Central government of Georgia” instead of “Georgian authorities” and “Georgian government” (this applies to the paragraphs: 32, 34, 36, 39, 41, 45, 46, 47, 48, 51, 54, 55, 59, 64, 65, 67, 76).
7. We would like to suggest using term “illegal detentions” instead of “detentions” (this applies to the paragraphs: 34, 42, 53, 54, and 69).
8. We would like to suggest using term – “so called “borderisation process” and “so called “border zone” instead of “borderisation process” and “border zone”(this applies to the paragraphs: 41, 50 and 53)
9. We would like to suggest using term – “so called documents/documentation/permissions/passports/resident permits” instead of “documents/permissions/passports/permits” (this applies to the paragraphs: 42, 43, 55, and 56)
10. We would like to suggest using term – “so called “fine”” instead of “fine” (this applies to the paragraphs: 42 and 53)
11. We would like to suggest deleting the word “South” when referring to population living in Tskhinvali region/South Ossetia as they are of Ossetian ethnicity and not of South Ossetian (this applies to the paragraphs: 57, 58 and 75).
12. We would like to suggest adding the following sentence: “The Georgian authorities continue to express strong concerns on the human rights situation in the occupied regions including in the quarterly reports on the subject issued by the Ministry of Foreign Affairs.”

13. In paragraph 3 we would like to use “decisions” in plural form (as provided in the document CM/Del/Dec(2016)1255/2.1 adopted by the Committee of Ministers’ Deputies on 4 May 2016)
14. In paragraph 5 we would like suggest formulating the first sentence of paragraph 5 as follows:

“Despite continued efforts, the delegation was not allowed by the occupation forces to visit Georgian regions of Abkhazia and Tskhinvali /South Ossetia for the purpose of this consolidated report and the Secretariat, consequently, had no opportunity to assess the human rights situation on the ground.”
15. We would like to suggest formulating paragraph 9 as follows: “Following parliamentary elections in Georgia in October 2016 and his confirmation as the Head of the Government, PM Kvirikashvili pledged to undertake steps towards reconciliation with the people living in Abkhazia and Tskhinvali regions and to create favourable conditions for improving people-to-people contacts.”
16. In paragraph 10 we would like to suggest adding “based on mutual interests” to “status-neutral and humanitarian cooperation”; also adding “and other partners” to “cooperation with EU”.
17. In paragraph 12 we would like suggest deleting the words “on the basis of a draft by the Co-Chairs” and afterwards adding the following sentence: “As the Georgian participants say, the consensus on non-use of force statement was not achieved due to Russia’s destructive position”.
18. In paragraph 13 we would like to suggest using “mother tongue based multilingual education” or “education in native Georgian language” instead of “multilingual education”; also in the first sentence adding of “illegal detentions” to the list of discussed issues. We would like to suggest rephrasing the following sentence: “Persisting divergences of views over the return of IDPs and refugees however led to the suspension of the round” into “The representatives of the Russian Federation as well as participants from Sokhumi and Tskhinvali declined to discuss the return of IDPs and refugees, artificially politicizing the issue.”
19. In paragraph 14 we suggest formulating the first sentence as follows: “While the overall security situation was assessed as relatively stable and calm, human rights situation remains alarming, namely, closure of so called crossing points, new restrictions on freedom of movement enacted by the power exercising effective control in the Georgian region of Abkhazia and recurrent illegal detentions across both Occupation line continued to trigger serious concerns during the reporting period, also in terms of their negative impact on human rights and safety.”

In the last sentence we would like to use words “the peace process” instead of “improvement of relations in the region”.
20. The first sentence of paragraph 16 we suggest formulating as follows: “At the same time, the Georgian government, as well as the international community, continued to object resolutely

to the integration of Georgian regions of Abkhazia and Tskhinvali region/South Ossetia within the Russian Federation respectively in the framework of the so-called “Treaty on Alliance and Strategic Partnership” and “Treaty on Alliance and Integration”.

We would like to delete the word “certain” in the last sentence.

21. In paragraph 18 the technical error needs to be corrected: the so-called elections and referendum in Tskhinvali region/South Ossetia is planned on April 9 and not on April 17. We would like to suggest use “so-called referendum” instead of “plebiscite”.
22. We suggest formulating paragraph 21 as follows: “At this stage, there are no further developments to report on the individual applications against Georgia, or against the Russian Federation. As to the second Inter-State application No. 38263/08, before the European Court of Human Rights, in January 2017 the parties filed the written submissions on the evidence taken at the hearings from 6-17 June 2016 to the Grand Chamber.”
23. We would like to reflect in paragraph 22 the following developments: “Since the last report, the cooperation between the ICC and Georgia has continued. On 18 February 2017 the Prime Minister of Georgia Mr Giorgi Kvirikashvili met Prosecutor of the ICC Ms Fatou Bensouda and the parties discussed the current phase of the investigation and cooperation. The Prime Minister reassured the ICC Prosecutor of full and active support from the Government of Georgia in the course of ongoing investigation, while the Prosecutor thanked the Georgian side for its exceptional openness and active cooperation throughout the investigation.”
24. In paragraph 27 we suggest changing the sentence as follows: “It also recommended that the government eases the restrictions of economic activities in Georgian regions of Abkhazia and Tskhinvali /South Ossetia for those international humanitarian organizations operating on the ground and encourages the cross-ABL trade. The PDO advises to establish a mechanism that would enable easier access for their residents to Georgian citizenship, including the possibility accepting as certificates the life-cycle documents issued by the illegitimate authorities.”
25. In paragraph 29 we would like to use “which represent a negative implication of the unresolved conflict” instead of “in view of restrictions under Georgia’s Law on the Occupied Territories”.
26. In paragraph 32 we suggest adding the following sentence: “As mentioned in the Introduction to this report, the Secretariat did not obtain access to the Georgian regions of Abkhazia and Tskhinvali/South Ossetia”.
27. In the first sentence of paragraph 34 we suggest using the word “relatively” instead of “generally”.
28. In paragraph 39 we suggest adding “including access to healthcare and education” to “other aspects of daily lives of the local population”.
We would like to change “approximately 400” by “approximately 600”.

29. We would like to suggest changing the first sentence of paragraph 44 as follows: “The new changes reportedly foresee that the majority of Gali district residents who have Georgian citizenship will be granted “permanent residency” rights, however, the discriminatory restrictions for receiving of both “temporary and permanent residence permits” remain unchanged and it is understood that these changes do not address all outstanding issues.”
At the end of the paragraph add the following sentence: “Thus, the implementation of the so-called law will have direct impact on exercising the rights to freedom of movement, residence, property and work by the ethnic Georgians in Abkhazia region.”
30. In the second sentence of paragraph 45, we would like to suggest inserting the following sentence “in addition to the full prohibition of the Georgian language in the Gali district schools assigned to Tkvarcheli and Ochamchire districts” just after the phrase “it is recalled that”;
31. At the end of paragraph 46, we would like to suggest adding the following sentence “Due to the closure of crossing points across the occupation line more children are deprived of the possibility to receive education”;
32. In paragraph 47 we suggest adding “as well as abroad in international education programs” to “studies in universities in government-controlled territory”.
At the end of the same paragraph, we would like to suggest adding the following sentence “The fact that, after completion of their tertiary studies, Abkhaz side does not recognize the diplomas issued by Georgian higher education institutions, ultimately leads to their migration”.
33. In paragraph 48 there is some inaccurate information concerning Tsebelda. In particular, the fact happened on January 3 and not on January 6 and the destruction concerned multi-layered archeological and architectural monument – the VIII-IX century and late Middle Ages settlement site, tombs, ruins of the church and graveyard.
34. In paragraph 51 we suggest deleting the words “and “demarcation”” and adding “freedom of movement” to “adverse effects on their livelihood and security perceptions” (i.e. to formulate it the following way: “adverse effects on their freedom of movement, livelihood and security perceptions”).
35. In paragraph 52 – as the report itself underlines, the residents of Akhagori district commute on regular basis and hereby cannot be considered as “returned” that according to international law should be a process of safe and dignified return that has not taken place.
36. In paragraph 58 we would like to use “the representatives of the Russian Federation and participants from Sokhumi and Tskhinvali intentionally neglect to discuss the return of IDPs and refugees” instead of “diverging views and objections expressed in particular by Abkhaz and South Ossetian participants have prevented substantive discussions”.
37. In paragraph 60 we would like to suggest formulating the second sentence as follows: “Under the new Action Plan, it is planned that over 2,000 families will benefit from state housing programme and 2,000 families from the privatisation programme during 2017.”

38. In the third sentence of paragraph 61 we would like to suggest adding “and State budget” and formulating the relevant sentence in the following way: “In terms of improvement of socio-economic conditions, the IDP Livelihood Agency, funded by the EU and the State budget, has continued to support vulnerable IDP households with programmes focusing on agriculture and vocational training under the Livelihood Action Plan 2016-2017.”
39. In paragraph 65 we would like to use “which have been approved by the Government of Georgia undergo ratification procedures” instead of “are pending”.
40. In paragraph 78 we suggest deleting “school teaching of regional and minority languages” as this has not been yet communicated, discussed or agreed with the Office of the State Minister for Reconciliation and Civic Equality. Hereby, the content and aim of such activity remains unclear.