



**EU Statement on the Secretary General's 13th Consolidated report on the conflict in
Georgia
1254th Council of Europe Committee of Ministers Meeting – 27 April 2016**

The EU thanks the Secretary General and welcomes his thirteenth consolidated report on the conflict in Georgia and looks forward to his next report expected for October 2016. The EU considers it is extremely important to keep this issue high on the political agenda of the CoE and encourages the Secretary General to continue the submission of his biannual consolidated reports to the Committee of Ministers covering, *inter alia*, the question of human rights protection in the areas affected by the conflict in Georgia.

The EU remains highly committed to support peace-building and conflict resolution in Georgia, including through its co-chairmanship of the Geneva International Discussions and the EU Monitoring Mission on the ground. The EU regrets that its Monitoring Mission does not have access to the Georgian regions of Abkhazia and Tskhinvali region/South Ossetia.

The EU notes with approval that interested parties continue to engage constructively in the Geneva International Discussions that took place in three rounds during the reporting period. The EU welcomes the resumption of the Incident Prevention and Response Mechanism in Gali, which the EU Monitoring Mission stands ready to support, and of the ICRC-led tripartite Mechanism on missing persons.

The EU notes that debates continue in the Geneva International Discussions on a possible joint statement on non-use of force. This is essential and should be complemented by mechanisms to improve security and transparency on the ground. In this regard the EU believes that a clear commitment by the Russian Federation on non-use of force is necessary.

The EU duly notes the decision of the International Criminal Court to authorize the Prosecutor to proceed with the investigation on war crimes and crimes against humanity in the context of international conflict in and around the Georgian region of Tskhinvali region/South Ossetia and invites the concerned parties to actively cooperate with the investigation.

The EU will continue to support a wide range of humanitarian, protection, development and other co-operation actions in the Georgian region of Abkhazia, in partnership also with international and local NGO, in particular through Confidence-Building and Response Mechanism. The EU calls for unimpeded humanitarian access to humanitarian access to the Georgian region of Tskhinvali region/South Ossetia, where similar actions are needed.

The EU is deeply concerned about so-called laws “on the legal status of foreign citizens” and “on exit and entry”, which recently entered into force. These so-called laws further enhance previous illegal activities of “borderization” that divide families and communities and is in breach of international law. It creates additional significant impediments for the people on the ground, depriving them from fundamental rights, including freedom of movement and property rights. We insist on a repeal of these so-called laws to ensure that local population is not discriminated on ethnic basis and once again call for removal of the fences and other obstacles to the freedom of movement, prevention of arbitrary detention of persons, including in the context of so called border crossing.

The EU welcomes the simultaneous release of detainees from Tbilisi, Sukhumi and Tskhinvali as a significant humanitarian act.

The EU is deeply concerned about the planned referendum, called for by the de-facto authorities in South Ossetia on joining Russia. If the referendum were to take place, it would violate international law and constitute a considerable, and unacceptable, escalation of the situation.

The EU condemns the continued implementation of the so-called Treaty on Alliance and strategic partnership and the so-called Treaty on Alliance and Integration and ongoing preparation and adoption of the relevant sub-agreements that in various areas violate Georgia's sovereignty and territorial integrity, and contradict principles of international law and the international commitments of the Russian Federation, including those undertaken within the CoE. Such processes go against ongoing efforts to strengthen security and stability in the region.

The EU once again regrets that no progress has been achieved on Internally Displaced Persons (IDPs) and refugees, which is at the core of the mandate of the Geneva International Discussions. We welcome the continued efforts by the Georgian government to provide durable and sustainable housing solutions, access to livelihoods and financial assistance to the IDPs.

We welcome humanitarian measures taken by the Georgian authorities to assist the residents of the Georgian regions of Abkhazia and Tskhinvali region/South Ossetia in particular the provision of medical service free of charge to the population of these regions.

The EU regrets that the Secretariat delegation and the CoE Human Rights Commissioner have not been granted access to the Georgian regions of Abkhazia and Tskhinvali region/South Ossetia. The EU calls on all the concerned parties to facilitate access to the Georgian regions of Abkhazia and Tskhinvali region/South Ossetia for the relevant monitoring bodies of the CoE. The CoE should be able to fully and effectively use its instruments to ensure monitoring of the human rights situation in all conflict affected areas and for the benefit of all persons in need of human rights protection. No obstacles should be created to the work of international partners in this field.

The EU expresses its concern at reports on a continuing deterioration of the access to education in the native language in the Georgian region of Abkhazia. We strongly believe that the right to education for everyone, including education in the native language should be guaranteed and applied in the Georgian regions of Abkhazia and Tskhinvali region / South Ossetia as well. We join the efforts of the Co-Chairs of Geneva International Discussions to promote understanding and respect for the universal right to education of the child.

The EU strongly support all ongoing and planned confidence-building activities of the COE, which are complementary to the efforts of the Co-Chairs of the Geneva International Discussions and which present unique opportunities to bring together civil society members of all parties involved.

The EU reaffirms its firm support for the independence, sovereignty and territorial integrity of Georgia within its internationally recognized borders and reiterates its concern about the continuing Russian military and security related presence, increased military exercises and infrastructure reinforcements in the Georgian breakaway regions of Abkhazia and Tskhinvali region/South Ossetia. The EU calls on the Russian Federation to fully implement the ceasefire agreement of 12 August 2008 and the 8 September Implementing Measures of the six-point agreement and to provide the EU Monitoring Mission (EUMM) with access to the breakaway regions.