

## **Information Documents**

### **SG/Inf(2022)7**

4 April 2022<sup>1</sup>

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## **Consolidated report on the conflict in Georgia (October 2021 – March 2022)**

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<sup>1</sup> 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 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 25th consolidated report covers the period between October 2021 and March 2022. 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 31 January - 1 February 2022 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 intends 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 future consolidated reports. 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).

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. 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 prejudice 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. The 55th round of the Geneva International Discussions was held on 7-8 December 2021. Despite the ongoing challenges related to Covid-19, the Co-Chairs of the GID have remained fully engaged and kept close contact with all participants while continuing to address pertinent security and humanitarian related issues of the GID agenda.

10. Focus was given to the GID core agenda item of non-use of force, as well as the impact of Covid-19 on the humanitarian situation on the ground, with an expert exchange between medical professionals held. The security situation on the ground was assessed by the Co-Chairs as “relatively stable”, and participants reviewed issues including detention cases, missing persons, freedom of movement and security situation in certain areas. As in previous rounds, it was not possible to address issues relating to internally displaced persons and refugees due to a walkout of some participants, as indicated by the Co-Chairs.<sup>2</sup>

11. The Co-Chairs welcomed the continued utilisation of the Ergneti Incident Prevention and Response Mechanism (IPRM) meetings and took note of positive signals on the potential resumption of the Gali IPRM. The Georgian central government regretted that the Gali IPRM had not yet resumed. It underlined that it was committed to sparing no efforts for its resumption and the unimpeded functioning of both mechanisms on the basis of the founding principles and ground rules, in particular that each side is free to raise any incident and issue of concern.

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

12. 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.*

13. During the reporting period the Georgian central government reiterated its commitment to peace and continued its efforts aimed at creating a new strategic approach while working on 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.

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<sup>2</sup> Press communiqué of the Co-Chairs of the Geneva International Discussions, 8 December 2021.

14. 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 question of the application of Article 41 of the Convention has been reserved.<sup>3</sup> 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 classified the case under the enhanced supervision procedure for the execution of the Court's judgment. In their action plans dated 12 October 2021 and 9 February 2022, the Russian authorities indicated that the judgment had been translated, published in legal reference systems and further disseminated to the Constitutional Court and various competent state bodies.<sup>4</sup>

15. 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 in December 2021 and January 2022. The examination of the latter case is thus currently pending before the Court at its admissibility stage.

16. 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, is ongoing. On 10 March 2022, the ICC Prosecutor filed an application for arrest warrants in relation to three individuals from the *de facto* authorities of the Tskhinvali region/South Ossetia, Georgia, with the application focused specifically on unlawful confinement, ill-treatment, hostage taking and subsequent unlawful transfer of ethnic Georgian civilians in the context of an occupation by the Russian Federation.<sup>5</sup>

*iii. To respect strictly the provisions of international humanitarian law, including in cases of armed conflict on its territory.*

17. 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 unaccounted for as a result of the armed conflicts and supporting their families. The ICRC continues to collect and analyse available data for the identification of missing persons, and conducted forensic capacity-building activities. The identified remains of 28 missing persons were handed over to families in five handover events in 2021. The excavation of potential gravesites that was previously reported to have begun in May 2021 has now seen 24 sites excavated and 21 sets of human remains recovered.

18. 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.

*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.*

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<sup>3</sup> European Court of Human Rights, Press Release, Grand Chamber judgment in the case *Georgia v. Russia* (II), 21 January 2021. <http://hudoc.echr.coe.int/eng?i=003-6913071-9285190>.

<sup>4</sup> DH-DD(2021)1041; DH-DD(2022)194.

<sup>5</sup> ICC, Office of the Prosecutor, Statement, 10 March 2022.

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 efforts of international humanitarian organisations in close co-ordination with the Georgian central government continued to be mobilised on the response to the Covid-19 crisis and its impact on the affected populations.

20. The delegation was informed by its international interlocutors that, in the Tbilisi-controlled territory, international organisations have continued to cater to the basic needs of people along the Administrative Boundary Line (ABL). Medical supplies, protective equipment and training to local healthcare facilities have been provided along the ABL, as well as cold chain equipment to support Covid-19 vaccination programmes. The ICRC continued supporting the Georgia Red Cross Society in its auxiliary role to the health authorities in providing pandemic-related support activities to respond to the crisis.

21. ICRC representatives conveyed to the delegation that the ICRC had continued to undertake a range of further activities to support the humanitarian response to challenges caused by the pandemic, including the provision of basic psychological support and information related to Covid-19 and vaccination programmes to families of missing persons.

22. The ICRC also continued to undertake a range of activities including supporting families separated by ABLs to establish and maintain contacts, and the facilitation of the reunification of families across ABLs.

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, 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 central government expressed concerns at indications of possible restrictions of co-operation by the *de facto* authorities of the Georgian region of Abkhazia.

24. The delegation was informed that, despite the ongoing limitations in access, the Georgian central government has mobilised and provided support to the people living in the Georgian region of Abkhazia in its response to the Covid-19 related challenges by way of delivering material assistance, raising awareness, sharing medical experience and expertise (doctor-to-doctor co-operation), and facilitating the intervention of relevant international agencies. Medical evacuations and treatment of Covid-19 patients have also continued (cf. section on the humanitarian situation in Abkhazia, Georgia), and Covid-19 vaccination programmes have been maintained for people living in the Georgian region of Abkhazia by the Georgian authorities without any registration requirements.

25. Throughout the reporting period, access for international engagement to the Tskhinvali region/South Ossetia, Georgia, has remained limited to the ICRC. It provided assistance targeting healthcare and forensic facilities, so-called “penitentiary structures”, and older vulnerable people. It has also provided personal protective equipment and medical equipment for health structures in the region. 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 central government assessed that overall access of humanitarian organisations is denied by the Russian Federation.

26. The delegation was informed that the Georgian central government had also offered humanitarian assistance to people living in the Tskhinvali region/South Ossetia, Georgia, but no proposal had been accepted. The delegation was informed by the Georgian government of continuing concerns about the facilitation of timely medical evacuations to the Tbilisi-controlled territory.

27. Representatives of the Georgian central government have reiterated that their priority was to assist the conflict-affected populations as much as possible.

28. The delegation was informed that the Georgian central 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 Georgia. In the field of healthcare, the state referral programme continued to be implemented, providing 445 patients from the Georgian regions of Abkhazia and Tskhinvali region/South Ossetia with medical transportation and assistance between 22 September 2021 and 26 January 2022. 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).

29. The delegation was informed by the Georgian government that, in the framework of the implementation of the peace initiative “Step for 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 a new call for the grant programme released in early 2022.

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

30. 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. The Georgian central government and the Office of the Public Defender reiterated that lengthy closures of the “crossing points” had a severe impact on the affected population.

31. The delegation was informed of continued concern that the human rights situation had been aggravated by the pandemic, including concerns with regard to the right to life, the right to freedom of movement, the right to property, the right to education in the native language and the right to liberty and security. These concerns were shared by several other interlocutors, in particular with regard to the situation of ethnic Georgian populations living in the conflict-affected areas.

32. The human rights and humanitarian situation of the conflict-affected communities remained under strain, notably due to persisting and/or newly imposed restrictions on freedom of movement, documentation issues, and obstacles on access to basic services. The prolonged closure of “crossing points” by the *de facto* authorities of the Tskhinvali region/South Ossetia, Georgia, persisted for the period under review (cf. below). This prolonged closure was reported by interlocutors as hindering timely medical evacuations in relation to Covid-19, as well as impeding access of vulnerable groups to humanitarian and medical assistance. The delegation was also informed of temporary closures of “crossing points” by the *de facto* authorities to prevent entry from the Georgian region of Abkhazia to the Tbilisi-controlled territory (cf. section on the freedom of movement in Abkhazia, Georgia). The Georgian central government shared the view that the closures serve a discriminatory purpose against ethnic Georgians living in the Georgian regions of Abkhazia and Tskhinvali region/South Ossetia.

33. 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 Otkhazia, 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**

34. No IPRM meetings were held during the period under review. The meetings have remained suspended for over three years. The importance of resuming them has been stressed by international actors and the Georgian central government. The EUMM-facilitated hotline continues to operate.

35. The delegation was informed that illegal so-called “borderisation” activities have continued at a steady pace 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**

36. The “crossing points” on the ABL had been closed as of 14 March 2020, “officially” due to the pandemic. The re-establishment of regular cross-ABL traffic of 5 July 2021 continued through the reporting period.<sup>6</sup> The Georgian authorities conveyed to the delegation that reported changes related to documentation in January 2022 have had implications on freedom of movement for certain populations who wish to cross to the Tbilisi-controlled territory (cf. section on identity documents). They also recalled that the closure of “crossing points” by the *de facto* authorities was common practice even before the coronavirus pandemic.

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<sup>6</sup> Crossings for limited vulnerable groups had been permitted from Abkhazia, Georgia, to the Tbilisi-controlled territory from 11 February 2021.

37. The delegation was informed that temporary closures of the “crossing points” by the *de facto* authorities of Abkhazia, Georgia, imposed in connection with the local elections taking place in the Tbilisi-controlled territory for the duration of the electoral day of 2 October 2021 (noted in the previous reporting period) were repeated for the municipal election run-offs between 28-30 October. The Georgian authorities noted that movement was banned for all individuals except those in need of medical assistance during these closures.

38. The Georgian authorities informed that illegal detentions have persisted throughout the reporting period, with the identification of 16 illegally detained persons since the beginning of 2021. The delegation was informed by interlocutors that those illegally detained were held in conditions which remain below minimum international standards.

39. The Georgian central government communicated the health situation of Irakli Bebuia, who was illegally sentenced to a nine-year imprisonment in December 2020. The Georgian central government stressed the need for his immediate release.

### **III.1.iii Humanitarian situation**

40. 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 central government.

#### *Means of subsistence*

41. Considering the long-term socio-economic challenges of the Covid-19 pandemic, interlocutors restated that the July 2021 opening of the ABL had been a step towards improving access to pensions, benefits, affordable medicines, and trade activities.

#### *Access to medical care*

42. Challenges noted in the previous report related to the provision of medical care were reported to have remained through the reporting period, with the focus of limited health resources on the pandemic reducing the capacity to treat chronic diseases and/or serious health issues. Equally, the delegation was informed of low vaccination rates throughout the reporting period. Shortages in qualified medical staff able to work during the pandemic, hospital capacity, and testing equipment were noted by interlocutors. The Georgian authorities informed the delegation that within the World Bank “Covid-19 Emergency Response Project”, with the support of the World Health Organization, the European Union, and donor organisations, Rukhi hospital on the Tbilisi-controlled territory near the ABL had been provided with medical equipment and personal protective equipment in order to provide medical services for persons crossing into the Tbilisi-controlled territory.

43. As mentioned above, at the same time, urgent medical evacuations and treatment of Covid-19 patients have been enabled during this period, though concerns remain about accessing prompt and adequate medical care. The Georgian central government ensured that the patients concerned were immediately transported to hospitals in the Tbilisi-controlled territory. Immunisation programmes for routine vaccinations were continued during the reporting period. The delegation was informed that, within the State Health Programme “Ambulance, Emergency and Medical Transportation”, 317 patients were transported from Abkhazia, Georgia, to the Tbilisi-controlled territory between 1 October 2021 and 26 January 2022 to receive relevant medical treatment.

#### **III.1.iv Identity documents**

44. The Georgian authorities informed the delegation of the abolition by the *de facto* authorities of the temporary identification document, known as “Form No. 9” as of 1 January 2022. It was suggested that this might have implications for up to 5 000 residents of the Gali region, affecting in particular the ability to cross into the Tbilisi-controlled territory and impacting property rights.

45. 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 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 delegation was informed by the international community that it remained the case that newly issued so-called “foreign temporary residence permits” were uncollected in some cases as people were unable to pay the required fees. Meanwhile, the Georgian central government underlined that ethnic Georgians living in Abkhazia, Georgia, refuse to own so-called “foreign temporary residence permits” as those are illegal.

#### **III.1.v Access to education**

46. As regards the situation of education in the Georgian language in schools in Abkhazia, Georgia, no progress in the provision of access to education in the native language was reported. To recall, education in the Georgian language has been banned not only at schools but also at kindergartens in the Gali district. The existing measures are widely seen by the Government of Georgia as a form of ethnic discrimination.

47. As per information provided to the delegation, the trend of the decreasing numbers of hours taught in the native Georgian language continued into the new academic year beginning September 2021. 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.

### *Covid-19 repercussions*

48. Face-to-face teaching was reportedly suspended intermittently during the period under review in response to rising Covid-19 cases. The Georgian authorities informed the delegation that they had delivered computers to students and teachers in Abkhazia, Georgia, during the reporting period. Equally, they provided access to nationwide online educational resources and the education project Tele-school (Teleskola). Support was also continued by the international community in the provision of computers and resources to support the delivery of online education.

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

### **III.2.i Security**

49. 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 with the presence of armed units and the continued construction of new positions on site. 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 central 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.

50. During the reporting period, two IPRMs were held. In these IPRMs, concerns were expressed by the co-facilitators about increasing numbers of detentions, and called for a humanitarian approach to all detention cases. Discussions were also held on the impact of the protracted closure of “crossing points” and the Covid-19 pandemic on conflict-affected communities. Security developments at the ABL, and the situation in the Chorchana-Tsnelisi area were also discussed.

51. During the period under review, instances of illegal so-called “borderisation” continued at several locations, with the Georgian central government informing the delegation of 48 cases of such activities between October 2021 and January 2022. 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**

52. The closure of the “crossing points” on the ABL, all closed by the end of February 2020, has persisted. The closure of the main “crossing point” of Mosabruni/Odzisi since September 2019 continues to represent the longest closure since 2008. The situation remained largely unchanged during the period under review. The Ergneti “crossing point” continued to be used on a limited basis for medical evacuations and urgent cases. Interlocutors reiterated their continued concern that the policy of closure reflects an instrumentalisation of the pandemic which has exacerbated the situation for local populations. The Georgian authorities recalled that the closure of “crossing points” by the *de facto* authorities was common practice even before the coronavirus pandemic.

53. Incidents of illegal detentions were reported as continuing through the reporting period. According to the representatives of the Georgian central government, there have been 44 cases between October 2021 and January 2022.

54. Representatives of the Georgian authorities updated the delegation concerning the illegal detention of a Georgian citizen, Genadi Bestaev. Mr Bestaev was “sentenced” during the previous reporting period to three years of “imprisonment”. Mr Bestaev was released from detention and transferred to the Tbilisi-controlled territory during the reporting period having suffered serious health complications during his illegal detention. Mr Bestaev was treated in Tbilisi before passing away in February 2022. The Georgian central government underlined that this tragic case emphasises the devastating consequences of the illegal actions of the *de facto* authorities. The delegation was also informed of the ongoing illegal detention of six Georgian citizens.

### **III.2.iii Humanitarian situation**

#### *Means of subsistence*

55. No positive trends were reported concerning the humanitarian situation in the region, especially in the Akhalkalaki district, where the delegation was informed of particularly dire socio-economic circumstances by the Georgian authorities. 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 Tbilisi-controlled territory.

#### *Access to medical care*

56. The ongoing closure of “crossing points” on the ABL continues to impact the access of residents from the Tskhinvali region/South Ossetia, Georgia, to medical facilities in the Tbilisi-controlled territory. Apart from exceptional crossings for medical purposes from Akhalkalaki, the situation has remained the same during the period under review. The Georgian central government reiterated to the delegation its continued concerns about the provision of timely medical evacuations in order to enable effective medical interventions, particularly in relation to Covid-19 and rising case numbers during the period under review. Pandemic-related support to healthcare facilities in the Tskhinvali region/South Ossetia, Georgia, has continued to be provided by the international community, though limited due to obstacles regarding access, and has included the donation of cold-chain equipment to support the rollout of the Covid-19 vaccination programme.

57. It was also reported that impediments to the freedom of movement were having an effect on the supply and levels of medicine provisions and equipment. The delegation was informed by international interlocutors of shortages of medical personnel, medicines, and modern equipment, as well as only limited and irregular deliveries of vaccines in relation to the pandemic. The Georgian authorities informed the delegation of new reports of the suppression of the sale and stocking of Georgian medicines.

58. The delegation was informed that 12 patients were transferred to the Tbilisi-controlled territory between 1 October 2021 and 26 January 2022 within the State Health Programme “Ambulance, Emergency and Medical Transportation” to receive relevant medical treatment.

### **III.2.iv Identity documents**

59. Despite “crossing points” on the ABL being closed essentially since 2019, the continued lack of clarity and information on so-called crossing “permission documents” for the ethnic Georgian population in Akhalkalaki remains of concern as it creates additional obstacles to the freedom of movement in the desired case that the “crossing points” re-open.

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

60. 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 central government denounced the existing measures as discrimination based on ethnicity.

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

61. 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.

62. In the absence of conditions conducive to their return, the delegation was informed that the Georgian central 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 informed the delegation that, to date, 290 209 persons, constituting more than 91 671 IDP families, have been granted IDP status. The delegation was informed that up to now, 45 715 families have been provided with Durable Housing Solutions.

63. The delegation was informed about various activities of the IDPs, Ecomigrants and Livelihood Agency (Agency) in 2021, which focused primarily on providing durable housing solutions and livelihood opportunities to the IDPs.

64. Durable housing solutions for the totality of 2021 involved the purchase of 1 393 individual houses and transferring them into private ownership of IDPs, privatising 1 466 state-owned living properties to IDPs under the privatisation programme as well as providing 1 383 IDP families with accommodation in newly constructed buildings. For improving IDPs' living conditions, the Agency provided co-funding to 58 condominium co-operatives in 2021, and 20 common spaces were transferred 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.

65. In terms of improving the socio-economic conditions of IDPs, the Agency continued to allocate monthly allowances to IDPs and provided 16 627 IDPs with one-time monetary assistance. In cases of urgent need, 1 189 IDPs were provided with temporary accommodation.

66. In order to support access to livelihood opportunities and address economic integration needs of IDPs and ecomigrants, the Agency provided financial support in the framework of the “IDP Vocational Education Support Programme”. A number of entrepreneurs (IDPs and Ecomigrants) were selected for Small and Medium-sized Enterprises (SME) grant support. Further awareness-raising activities were conducted to inform IDPs about livelihood programmes.

67. The delegation was informed of continuing activities that are planned to be implemented by the end of 2022, including the purchase of 1 500 individual houses for IDP families, the accommodation of some 1 200 IDP families in newly constructed buildings, the transfer of a further 1 000 state-owned properties to the private ownership of IDP families, and the transfer of 60 apartments to families of veterans in Tbilisi.

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

##### **IV.1 Operational activities**

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

68. As a follow-up to the online Youth Peace Week organised in July 2021, in which facilitators from all sides of the ABL participated, local Youth Peace Camps were organised in Ochamchire and Rustavi, bringing together 46 young people. Some of these participants then took part in the online Youth Peace Conference held in December 2021. The participants shared the lessons they had learnt through their experiences of the local Youth Peace Camps held in different member states, their personal accomplishments, and discussed the importance of involving young people in peacebuilding processes.

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

###### *Activities organised during the reporting period*

69. Throughout the period under review, the implementation of the operational activities on Council of Europe Confidence-Building Measures and their follow-up has been ensured in areas where the pragmatic approach has enabled long-established dialogue and trust built between all actors concerned. Fully fledged activities will be carried out as soon as the epidemiological situation permits to recover the previous regularity of people-to-people contacts.

70. The CBM priorities, included within the framework of the Council of Europe Action Plan for Georgia 2020-2023 and previously identified jointly with relevant actors as well as closely co-ordinated with the Office of the State Minister Georgia for Reconciliation and Civic Equality and the Liaison Mechanism have been maintained.

*a) CBMs with Abkhazia, Georgia*

71. During the pandemic, the group of archive specialists from both sides of the ABL continued to work in an online format. The dialogue led to the printing of the new publication on the topic of “*Muhadjirstvo/Mahadjirstvo in the XIX century*”, and the film on the same topic has been subtitled. The presentations of the new publications produced under the auspices of this project will take place as soon as the sanitary situation allows.

*b) CBMs with the Tskhinvali region/South Ossetia, Georgia*

72. Efforts continued to be deployed to launch CBM activities and the first meeting of teachers of the English language on modern techniques of foreign language teaching, in co-operation with the European Centre for Modern Languages of the Council of Europe in Graz, will be held when the sanitary situation allows.

*c) Plans for further action*

73. Despite the difficult situation related to Covid-19, the Secretariat continues to build on the results of the CBMs to maintain the level of trust and contacts between actors on both sides of the ABL.

74. To the extent possible, priority will be given to direct contacts between actors on both sides of the ABL, in order to increase the impact and extend dialogue to new domains with a pragmatic approach relying on the technical support of experts from other member states. Concrete options continued to be explored by the Secretariat.

75. In addition to the planned follow-up on the previous and current initiatives mentioned above, efforts will focus on facilitating dialogue between mental health specialists, specialists on the situation of minors in prisons, and journalists. Other proposals are currently under discussion with the Georgian central government and stakeholders on both sides of the ABL. New initiatives in the cultural field will be explored at a later stage, while a dialogue between Abkhaz language specialists will be relaunched in 2022.