

DOUBLE EXCLUSION PLACES



Human Rights and Social Challenges in Gali and Akhalkalaki

Double Exclusion Places:
Human Rights and Social Challenges in Gali and
Akhalgori

Social Justice Center
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Executive Summary

While discussing the systematic human rights violations in conflict regions, the situation of Gali and Akhgori residents, who live in the reality of double exclusion due to the discriminatory policies of de facto administrations and neglect from the Georgian government, requires special attention. Unfortunately, given the limited human rights monitoring in Abkhazia and South Ossetia/Tskhinvali region and the lack of access of international and civil actors, the knowledge about the human rights situation in these regions is weak and fragmented. This knowledge is mainly based on research conducted at different times, materials and information disseminated by the media, data collected by state agencies, however, due to the limitation of physical access, all these sources require additional validation.

The objective of the research is to contribute informational and knowledge vacuum and to comprehensively describe the existing human rights and social situation in Gali and Akhgori. The research covers issues such as: the infrastructure of these districts, the legal status of the residents of the local de-facto system and challenges related to documentation, movement to the Georgia-controlled territory and access to the services and programs available there; Right to education, right to health, political participation and representation in a de facto administration system, economic situation and employment, property rights, human rights situation of women, security, civil society and international engagement, freedom of expression, inter-community relations, access to information, cultural rights and freedom of religion.

The analysis presented in the report is based on the information provided by local researchers, which they obtained through interviews with the residents and visits to the villages of Gali and Akhgori districts, as well as the analysis of existing studies, reports, and public information.

The analysis of the materials presented in the report reveals that the protracted conflict has serious consequences vis-à-vis the people living here and their rights are continuously violated in several directions, such as freedom of movement, freedom of expression, security, and other fundamental civil and political rights. In addition, the socio-economic rights of Gali and Akhgori residents, the right to receive education in their native language, access to quality health care and social services are systematically violated. Over the years, the restriction of these rights takes the form of non-recognition, ignorance, and harassment, which is due to the vague and contradictory perceptions and place of ethnic Georgians in local nationalisms and de facto political systems. Residents of Akhgori and Gali are actively involved in the services and political processes offered by the state of Georgia, and arbitrary restrictions on movement periodically impose severe humanitarian crises in these regions. This ambiguity and vulnerability have a heavy impact on the social situation of the local population and leads to the new types of crises and frustrations. The systematic practice of non-recognition and rights violation, aggravated by the difficult socio-economic background, often forces the locals to leave their homes and accept the harsh reality of displacement. Research shows that the number of children in local schools and kindergartens is decreasing from year to year in both regions, especially in Akhgori.

In addition, complex bureaucratic processes in local de facto systems, often based on nepotism and corruption, further aggravate the already difficult situation of locals, and expose them to arbitrary governance and treatment practices.

The residents of Gali and Akhagori unanimously point out that their interests and needs are not seen by the de facto administrations. However, neither de jure government of Georgia sees these concerns. The central government does not foster projects and initiatives specifically focused on them, which, beyond the status of citizens of Georgia, would be manifested in additional positive measures and approaches. Today, the same programs are provided to the population of Gali and Akhagori in several policy directions (with minor exceptions), as to the rest of the citizens of Georgia, and the state does not properly conceptualize the multi-layered challenges related to the protracted conflicts and non-recognition. The harsh reality of ethnic Georgians in de facto systems is not sufficiently compensated and protected in the policies of the Georgian government, which makes them feel abandoned by Tbilisi. According to the locals, their role in the process of conflict transformation is not adequately seen by the Georgian authorities, which is again related to the problem of their recognition.

At the end of the report, recommendations are enlisted for the Georgian authorities and international actors concerning the measures they need to take to improve the complex human rights and social situation in Gali and Akhagori.

Table of contents

Introduction	6
Gali.....	8
1. General description of Gali district.....	8
2. Basic infrastructural issues in Gali and surrounding villages.....	14
3. The issue of citizenship and documentation and related problems (access to basic rights) 17	
4. Movement in the Georgia controlled territory	20
5. Access to services and state programs in the Georgia controlled territory and relations with the central government	22
6. Right to education	25
7. Political participation and representation.....	32
8. Economic situation and employment.....	35
9. Property ownership	36
10. Culture and religion.....	36
11. Legal status of women in Gali	37
12. Security and Relations with Law Enforcement	38
13. Civil society and international engagement.....	40
14. Access to Information	41
15. Inter-community communication and relationship.....	41
Akhalgori.....	42
1. General description of Akhalgori district.....	42
2. Basic infrastructural issues	45
3. Budget and corruption in Akhalgori	47
4. Problem with documentation in Akhalgori	47
5. Movement in the Georgia-controlled territory	48
6. Availability of Services in South Ossetia	52
7. Access to services and state programs in the Georgia-controlled territory and relations with the central government	53
8. Access to health care	54
9. Right to Education	56
10. Political participation, representation and employment in the public sector	59
11. Freedom of expression and civil society	60
12. Economic situation and employment	62
13. Property rights	62
14. Culture and religion.....	62
15. Security and Relations with Law Enforcement	63
16. Access to Information	64
17. Inter-community communication and relationship.....	64
Summary and recommendations.....	66

Introduction

"The unresolved conflict has a severe impact on the human rights situation in Abkhazia, as well as on the internally displaced persons as a result of the conflict. Several human rights issues can be resolved before a political solution to the conflict is reached."¹ This is the conclusion of the report by Thomas Hammerberg and Magdalena Grono, the only comprehensive international and independent report on the human rights situation in Abkhazia. This report was prepared in 2015-2016 at the initiative of the EU Special Representative in the South Caucasus, Ambassador Herbert Salber. The report extensively covers the description of the legal situation in Gali. Unfortunately, due to political reasons, this report could not become an official document of the European Union, however, in the absence of an independent monitoring mechanism, it is an important source that describes the legal situation in Abkhazia, including Gali, and is based on information received on the ground.

Gali was the only district in Abkhazia, the population of which consisted mostly of Georgians before the Georgian-Abkhazian conflict.² After the end of the war, according to different data, from forty to sixty thousand local Georgians returned to Gali.³ Until now, the status of people living in Gali is an unsolved problem, under the de facto administration of Abkhazia, there were different approaches, however, the local society and the political elite are still not ready to accept the Georgians living there as part of the Abkhazian society, to give them equal legal status and, accordingly, equal rights and freedoms, as Abkhazians. This is noted by the current Public Defender of Abkhazia, Asida Shakril, who in 2020 addressed the de-facto president Aslan Bzhania and called on the removal of restrictions on freedom of movement for the population of Gali district, which is discriminatory against Georgians living there.⁴

In light of the fact that the Gali residents in Abkhazia experience systematic discrimination and do not have access to basic rights in Abkhazia, they feel forgotten and excluded by the Georgian state and society,⁵ which was also reflected in the rhetoric of the Gali residents themselves during the research. They believe that the state of Georgia puts them on an equal footing with other Georgian citizens, against the background that they live under occupation, and they do not have access to all the opportunities and benefits that the state generally offers to other citizens.

Although international and local human rights organizations, as well as local residents, have been pointing out the difficult legal situation in Gali for years, the situation remains practically unchanged for the Gali people, and in some directions, it is getting worse year by year, including freedom of movement, access to education in the native language, as well as economic and social directions.

¹ Thomas Hammerberg, Magdalena Grono, Human Rights in Abkhazia Today, 2017, p. 10. Available at: <https://www.palmecenter.se/wp-content/uploads/2017/07/Human-Rights-in-Abkhazia-Today-report-by-Thomas-Hammarberg-and-Magdalena-Grono.pdf>

² Malkhaz Toria, Gali in Georgian and Abkhaz Historical Perceptions: Anatomy of Double Marginality, Social Justice Center, 2022, p. 3.

³ International Crisis Group, Abkhazia: Deepening Dependence, Europe Report no. 202 (2010) Sukhumi/Tbilisi/Istanbul/London, <https://www.crisisgroup.org/europe-central-asia/caucasus/georgia/abkhazia-deepening-dependence>; Human Rights Watch, Living in Limbo: The Rights of Ethnic Georgian Returnees to the Gali District of Abkhazia (New York, NY, 2011), <http://reliefweb.int/sites/reliefweb.int/files/resources/georgia0711LR.pdf>.

⁴ The Abkhaz ombudsman appeals to Bzhania to protect the rights of the Galiens, 2021, Netgazeti, <https://netgazeti.ge/news/523500/>

⁵ Malkhaz Toria, Gali in Georgian and Abkhaz Historical Perceptions: Anatomy of Double Marginality, Social Justice Center, 2022, pp. 4-5.

Although the state has recognized the difficult legal situation in Gali, it has not developed targeted state programs and support mechanisms that would directly respond to the problems of the population of this district.

As for Akhagori, the current situation here was created after the war of August 2008, and life here is getting harder every year for the isolated Georgian population. Until 2008, the Georgian government controlled 40% of the territory of the South Ossetia/Tskhinvali region, including the Didi and Patara Liakhvi valleys and the Akhagori district. After the war, Georgia lost control over these territories.⁶ After the end of the military hostilities, the population of Akhagori began to return, which the de facto administration of Tskhinvali did not prevent, for the reason that the number of returnees was not so large as to have a significant impact on the population in the South Ossetian region. The then de-facto president Eduard Kokoiti personally promised security to the people of Akhagori. This position of the de-facto administration was also due to the fact that from the military point of view Akhagori district was not of decisive importance for Tskhinvali. During the war, there were few military operations here and the local infrastructure was more or less preserved.⁷ In addition, Akhagori was an important source of trade and economic relations with Georgia for the Tskhinvali region. Here, Georgian products mainly entered through Akhagori, which was also in the interests of the Ossetian officials.⁸ After the return of Georgians to Akhagori, after the 2008 war, in the beginning there was no aggressive or negative attitude or policy towards them in South Ossetia. Moreover, the approach of the de-facto administration was to integrate the people of Akhagori into the "Republic" of South Ossetia, and infrastructural projects were implemented to that end. In 2014-2015, the construction of the 73-kilometer Tskhinvali-Akhagori road was completed, on which more than 10 million US dollars were spent.⁹ A cultural center, boarding school, hospital, etc. were built and renovated here.

However, the situation changed radically after the Chorchana-Tsnelis crisis in 2019, and the people of Akhagori were completely isolated. In 2019, the de-facto administration closed the "Razdrakhani" (Odzi/Mosabruni) crossing, which critically aggravated legal and social situation in Akhagori and pushed the population to leave the region. Today, unofficial sources say that the population may be less than 1,000, and most of them are elderly people. According to the information available through public sources of the Social Service Agency, 1793 people are recipients of the pension package in Akhagori district, and 480 people are recipients of the social package.¹⁰ Depopulation is largely due to the fact that the residents do not have access to basic health services; medicine and food products are very expensive, and in conditions of isolation, access to all these is practically limited.¹¹

⁶ Giorgi Kanashvili, Akhagori Deadlock, DRI, 2021. p. 7

⁷ Giorgi Kanashvili, Akhagori Deadlock, DRI, 2021. p. 7

⁸ Giorgi Kanashvili, Akhagori Deadlock, DRI, 2021. p. 8

⁹ Giorgi Kanashvili, Akhagori Deadlock, DRI, 2021. p. 8

¹⁰ http://ssa.gov.ge/index.php?sec_id=459&lang_id=GEO

¹¹ How Akhagori is emptied, Kviris Palitra, 2022 June 27. Available at: <https://kvirispalitra.ge/article/93974-rogor-icleba-axalgori/>

Research methodology and objectives

The purpose of the research is to study and present the legal, institutional and socio-economic situation of people living in Gali and Akhagori. Based on the research, thematic recommendations will be prepared for the Georgian authorities and advocacy meetings with relevant agencies will be planned. The objective of the research is to fill the information vacuum vis-à-vis these regions caused by the lack of control and monitoring on the ground and to present updated, multifaceted and comprehensive information about the people living in these two regions outside the control of Georgia.

To this end, the Social Justice Center relied on several methods: through desk research, we studied information available from open and valid sources - the latest reports and studies prepared by local human rights and international organizations, as well as materials disseminated by media. In addition, the presented document analyzes the public information received from the relevant state agencies.

At the same time, in collaboration with local researchers in Gali and Akhagori, the organization studied the situation in these regions, interviews were conducted with the population, and some interviews were conducted by the research team online. Researchers in Gali and Akhagori studied the situation in the villages of these regions, local infrastructure, social and legal environment. In the Gali district, the researcher studied the situation in the city of Gali, as well as in 9 villages of the district.¹² In addition, the research team made a field visit to the villages of Khurcha and Tskoushi-Pakhulani, which are neighboring villages of Nabakevi and Saberio villages of Gali district in the controlled territory of Georgia. A total of 8 in-depth interviews and 3 focus groups were conducted by the research team with residents of Gali district. Focus groups were held in the villages of Khurcha, Pakhulani and Zugdidi. The situation was observed on the ground in a town and 9 villages.

In Akhagori district, a local researcher studied the current situation in Akhagori township and 14 villages of the district,¹³ where 31 in-depth interviews and 1 focus group discussion were conducted (the focus group was held in the village of Khurvaleti).

Gali

1. A general description of Gali district

Gali district is located in the eastern part of Abkhazia, west of Enguri river. In 1995, the de facto government of Abkhazia established the new boundaries of the Gali district, which is smaller than the territory of the pre-war Gali district. The villages that could not be included in the changed borders were conferred to Tkvarcheli and Ochamchiri districts, including the villages of Achigvara, Gudava, Okhurei, Agu-Bedia, Shesheleti, Mukhuri, Kokhora, Pirveli Gali, Ghumurishi, Chkhortoli, Tsarche,

¹² Lekuhona; Saberio; Chuburkhinji; Sida; Zemo Barghepi; Tagiloni; Nabakevi; Otobaya; Gagida.

¹³ Karchokhi, Largvisi, Korinta, Ikoti, Akhmaji, Boli Council, which unites the villages: Zemo Boli, Kvemo Boli, Morbedaani and Ereda; Kanchaveti, Bazuani, Mosabruni, Zakori, Tsingara.

Nakhing, Refo-Etseri, Okumi. These villages still belong to the boundaries of Gali district on the official map of Georgia,¹⁴ and part of the Georgian population still lives in these villages.

Gali region is characterized by exceptionally fertile soil, abundance of water, humid air of the mountains and the sea. Population is mainly employed in the agricultural sector: nuts, citrus, corn, various seasonal vegetables and fruits, animal husbandry. About 85% of the population of the city and villages are engaged in small or medium agriculture.

Before the war in Abkhazia, the almost absolute majority of the population in Gali, about 80,000 people, were ethnic Georgians. After the war, about 47,000 Galians voluntarily returned to their place of residence.¹⁵ However, due to the restrictions imposed by the de-facto administration of Abkhazia, many institutional restrictions apply to them, and they still cannot enjoy basic civil and political rights.¹⁶ The Abkhazian and Georgian sides cannot agree on the definition and number of "returnees". The Georgian side believes that the people who returned to Gali still have the status of "displaced persons" because they were not returned in decent and safe conditions. According to the data of the United Nations High Commissioner for Refugees, as of 2009, 212,113 ethnic Georgians are displaced from Abkhazia, which also includes people who returned to Gali. However, the Abkhazian side does not consider them as IDPs and claims that this number is up to 150,000.¹⁷

Arbitrary, spontaneous return of Galiens to their homes continued until 1998, when clashes resumed and 30,000-40,000 people left Gali for the second time in exile, local infrastructure was destroyed, schools and about 1,500 houses were burned. On May 19, 1998, the confrontation between Georgian and Abkhaz partisans in the villages of Gali turned into a serious military conflict that lasted for 6 days. Before that, in February 1998, Ardzinba accused the Georgian side of attempting to plan a terrorist act against Georgians in Gali, in order to mobilize public opinion against the Abkhazians and take steps to withdraw the CIS peacekeeping forces from Abkhazia.¹⁸ On May 9, the Georgian side decided to celebrate a Day of Victory against Fascism in the village of Pichori.¹⁹ The then Chairman of the Supreme Council of Abkhazia, Tamaz Nadareishvili, addressed the Georgian population of Gali, where Ardzinba's regime was compared to fascism and this was a kind of call to engage in conflict.²⁰ The military clashes that started in Gali were largely led by informal, partisan groups. The goal of the Georgian partisans (Forest Brothers, White Legion) was to return Gali before Independence Day - May 26. Clashes between Georgian partisans and Abkhazians, Russians, and Bagramian's battalion began in the villages of the low-lying area of Gali - Sida, Tagilon, Zemo and Kvemo Barghepi, Nabakevi, Khumushkuri. During these clashes, many Georgian villages were burned. As a result of the events of May 1998, about 40,000 Georgians became displaced again, and about 1,400 houses were burned down.²¹ Some of them returned to Gali after the situation calmed down, and some did not return. On the sixth day of the military confrontation, the Russian military, with the then status of peacekeeping

¹⁴ The issue of documents required for movement in Gali district, DRI, 2021. p. 6.

¹⁵ The data is not exact and varies from study to study.

¹⁶ Human Rights Watch, Living in limbo, 2011. 1.

¹⁷ Human Rights Watch, Living in limbo, 2011. 14.

¹⁸ Freedom House, Freedom in the World 1998 - Abkhazia, 1998, available at: <https://www.refworld.org/docid/5278c6bc5.html> [accessed 19 November 2022]

¹⁹ May 26, 1998 - "2:0, Georgia lost for the second time", May 26, 2014. <https://kvispalitra.ge/article/21779-1998-tslis-26-maisi-q20-saqarthvelo-meored-damarckhdaq/>

²⁰ ibid

²¹ Report of the Secretary-General concerning the situation in Abkhazia, Georgia (S/1998/647), 13.

forces, were stationed in the Gali region. The Gali events dealt a heavy blow on the process of trust building and dialogue between the Georgian and Abkhaz sides. And in October 1999, the Abkhazian side adopted the "Act of Declaration of Independence", which brought the negotiation process to a dead end.²²

In 1999, on the initiative of de-facto President Ardzinba, the inhabitants of Gali district were allowed to return.²³ Since the National Statistical Service of Georgia does not have the capacity to produce statistics in Abkhazia, the Georgian agencies use the statistical data of the de facto authorities. According to these data, 30,247 people lived in Gali as of 2016.²⁴

Below is a description of the general condition of the Gali villages studied by the local researcher for research purposes:

Lekukhona (Alakumhara)²⁵

Lekukhona is one of the villages in the mountainous zone of Gali district. It borders the village of Pakhulani in Samegrelo to the east. The population is about 340 and the absolute majority of them are Georgian/Megrelian. The village is surrounded by mountains and overlooks the Caucasus. Although the village is very beautiful, as a result of the war, its socio-cultural life has been completely erased. The population is engaged in agriculture and animal husbandry, which is their main source of income. The following crops are grown here: nuts, corn, and citrus. Many of the villagers are employed at Enguri HPP, which facilitates their mobility in the Georgia-controlled territory. With the HPP employee pass and a document confirming their work there, the villagers easily cross the so-called boarder line. There is 1 secondary school in the village, where about 35 children study.

Saberio (Papnrhua)

Saberio borders Lekukhona and is 15 km away from Gali. This village was distinguished from all other villages by its economic status and population. According to the data of 1989, 4019 people lived here. In the village of Saberio, there is a settlement called Chegali ("white river" in Megrelian), which was built for the employees of the HPP and their families. HPP employees still live in this settlement. The demographic picture has changed, although the village is still considered densely populated unlike other villages – with 3155 inhabitants. 60% of the population left during the Georgian-Abkhaz war. Almost all of them live in Georgia proper today. The remaining 40% in the territory of Abkhazia have

²² Giorgi Anchabadze, Ivane Abramishvili, Malkhaz Toria and others: Abkhaz-Georgian and Ossetian-Georgian relations in the past and present, Caucasian House, 2021. pp. 189-190.

²³ Human Rights Watch, Living in limbo, 2011. 15-16.

²⁴ Restriction of freedom of movement in Abkhazia and South Ossetia, DRI. 2020, 8.

²⁵ In the second study of the village, it is presented in the Abkhazian language. Some of the villages of Gali were renamed by the de-facto administration of Abkhazia in 2013, and officially their Abkhazian names are used. However, the population still uses old Georgian names. Source: Radio Liberty. Some villages in Abkhazia were renamed, December 12, 2013. <https://www.radiotavisupleba.ge/a/abkhazeti/25198377.html?fbclid=IwAR02QoeqI8tK8b1eTvDReYGJdh3vPNSK18cxKiTWNNyolQ1fP3YM8iEMnKc>

Georgian citizenship. Some also have Abkhazian and Russian passports.²⁶ The Georgian authorities lost control over Saberio and other ABL villages in 2008.²⁷

The main workplace – Enguri HPP is located in the village, which has become a guarantee of the economic and social stability of the inhabitants of the village. However, those who cannot start working here, due to the lack of other employment alternatives, remain hopeless. This especially concerns the local youth.²⁸

There are two secondary schools, a music school, a kindergarten, a well-equipped hospital, a village administration, a church, and several shops in Saberio. Saberio is located close to the main checkpoint of Enguri, and also in the village itself there is one of the checkpoints that borders the village of Pakhulani. This checkpoint has been operational since 2016.

Chuburkhinji (Khatsha or Chuburkhinj)

Chuburkhinji village is the first village on the road from Enguri Bridge to Gali. The church of St. George is located here, where services are held in Georgian and Russian. In the church there are also many icons with Georgian inscriptions, as well as prayer books and psalms in the Georgian language. The congregation is mainly Georgian-speaking. Georgian population lives in Chuburkhinji. According to the data of 2011, 3340 people lived here, although people from the village are migrating massively to the Georgia-controlled territory or to Russia or other countries. In May 2012, a Russian military residential base was opened in the village.²⁹ In the village, there are two secondary schools, a kindergarten, a House of Culture, a medical center is also functioning near the school. The House of Culture was renovated a few years ago with the support of the Danish Refugee Council (DRC).

Sida

The village of Sida is located 14 km south of Gali. The village is particularly forgotten, where the local population (about 180-250 people) lives without roads, water, sustainable electricity, and the Internet. Both before the war and after the war, the majority of the villagers were Georgians/Megrelians, who left the village in 1992-1993, and later in 1998. Since the beginning of the 2000s, the rural population began to gradually return. As one respondent points out, as a result of hostilities, not a single house in the village was saved from burning. Only the ruins of the houses remained, on which those who returned to the village built homes. The garden, school (medical center is also operational in the school) and village administration come together in one building. During the Soviet Union, tea-making was quite developed in this village. Untended tea bushes still remain today.

Zemo Bargebi

²⁶ Saberio - report from a village in Gali district, 2016, Netgazeti, <https://netgazeti.ge/south-caucasus/166037/>

²⁷ Russia to control border between Abkhazia and rest of Georgia, Radio Liberty, May 9, 2009. Available at: <https://www.radiotavisupleba.ge/a/1624554.html>

²⁸ Saberio, report from a village in Gali district, Netgazeti, December 3, 2016. Available at: <https://netgazeti.ge/south-caucasus/166037/>

²⁹ В селе Чубурхиндж Гальского района введен в эксплуатацию новый военный городок Погрануправления ФСБ России в Абхазии. <https://web.archive.org/web/20120529010619/http://apsnypress.info/news/6350.html>

Tea, corn and nuts were the main agricultural crops in Zemo Barghebi. Before the 1992-1993 war, a tea factory operated here. During the war, and especially in 1998, when Georgian and Abkhazian partisans and soldiers carried out combat, partisan and banditry activities in Gali and Gali region, the houses of this village were almost completely burned down and the people left the village. After the situation relatively normalised, people gradually returned to the village. Even today, animal husbandry remains the main source of income for the rural population. There are a kindergaten, a school, a village administration building and medical center in the village.

Tagiloni

To the west of Enguri river, 25 km from Gali, and 25 km from the sea, is the village of Tagiloni. The absolute majority of the population are Georgians/Magrelians and their number ranges from 1500 to 2500, although this village is gradually being emptied. There were two high schools in the village, but one was closed in 2015 due to lack of students. There is also one medical station here.

Like all ABL villages, there are problems with movement, passporting, decent education, and receiving medical services. A tea factory operated during the Soviet Union. Today, the main source of income is nut production. The yeild of nuts determines how profitable the year will be for the locals. In this village, in the 90s, there were frequent cases of robbery and theft, precisely because there are many nut orchards in this area and the population has relatively more income. Criminal incidents still happen in the village.

Nabakevi (Bataiguara)

The village is located 24 km south of Gali near the so-called dividing line, Khurcha village. About 400-500 people live here. There was a military base of the peacekeeping forces in the village, which today is used by Russian soldiers and their families. There is not a single administrative building in the village. Administrative activities are carried out in the administration of Gali itself. There is a school in Nabakevi where about 80 children study. In the presence of a military base, freedom of movement is often hindered even in the inner territory of the village. Those residents who do not have the necessary documents to cross the so-called border, cannot not cross and also do not have access to various services.

Only Georgian population lives in Nabakevi village. It is noteworthy that after the start of the war in Ukraine, the number of people living on the Russian base has significantly decreased. Today, apart from the Russian base and school, there are no other state buildings in Nabakevi. Several shops operate in the center. The main source of local income is agriculture. There is a hospital in the village, where they also have an ambulance.

The events of 1998 affected the economic, social and psychological condition of the residents in Nabakevi, as in all lowland villages.

Otobaya

On the right bank of Enguri, 7 km from the sea, and 40 km from Gali, near the administrative border of Abkhazia, the village of Pirveli Otobaya is located. Otobaya is bordered by the village of Orsantia of

Zugdidi municipality in the controlled territory of Georgia. About 700 people live here. There is a hospital and two secondary schools in the village. The Russian base is located in the village, which is the largest in the Gali region. As in other ABL villages, in the eastern part of Otobaya, along the river Enguri, there are wired fences.

The de-facto administration of Abkhazia closed the Otobaya Orsantia crossing point on March 5, 2017, along with the Khurcha-Nabakevi crossing, which made the exercise of freedom of movement of the rural population even more difficult,³⁰ which was already associated with a difficult and dangerous process even before. Residents could cross the bridge connecting Orsantia-Otobaya by bus, "Marshutka" mini vans, or their own car, but they had to constantly check the safety of the crossing, the mood of the Russian military and the level of strictness of control. There was also the practice of seizing cars, which was quite a "profitable business" for the so-called border guards. Because of this, the locals would choose to leave their cars in Otobaya and go on foot or by carts, which was dangerous during bad weather.³¹ Now the locals have to cross the Enguri Bridge to the Georgia-controlled territory and vice versa. In the conditions of stricter rules concerning the crossing of ABL, close social and economic ties between the residents of the villages were broken.

Gagida

The village is located 33 km from Gali, on the sea coast. Ganmukhuri and Anaklia can be seen from here. There are nut plantations and corn fields found in Gagida, and a large part of the village population is engaged in animal husbandry. About 400 people live in the village. Here too, as in other villages of the lowland area, crime was a big problem, although its numbers have relatively decreased in recent years. There is a secondary school in Gagida which is in a state of disrepair, it is not being repaired due to the lack of students. If the school is closed, students will have to go to the village of Fichor, which is located about 8-10 km away. Children cannot commute to school without transportation.

Town of Gali

Gali is located 12 km from Enguri bridge and 77 km from Sukhumi. The city is home to about 7,000 people, according to the latest data, but it has depopulated dramatically in recent years, primarily due to Abkhazia's passportization process, limited access to services, and poor economic conditions. Agriculture is quite developed, however, due to the fact that proper work is not carried out on the soil, it is depleted, which reduces the productivity every year. In addition to the problems of passportization, the Gali people and the residents of the district are worried about the depleted and barren soil.

There are 2 kindergartens, a music school, first and second secondary schools in Gali, where teaching is conducted entirely in Russian. In the city we also find a college, a town administration building, an education department building, banks, a hospital, a cultural center, an art school, restaurants, a

³⁰ Because of barbed wires, the deceased was mourned from Samegrelo in Abkhazia, History, Imedi News, February, 2019. <https://imedinews.ge/ge/politika/97256/mavtulkhlartebis-gamo-mitsvalebuli-apkhazetshi-samegrelo-daitires-istoria>

³¹ Otobaya - a Georgian village in occupied Abkhazia. Humanrights.ge. August 23, 2010. <http://www.humanrights.ge/index.php?a=main&pid=12175&lang=Geo>

market, shops, and a Russian military office and residential base. Roads are laid in the central streets to Enguri Bridge, and from Enguri Bridge to the border of Psou.

2. Basic infrastructural issues in Gali and surrounding villages

Water infrastructure

The problem of water supply in Gali district has existed since the war in the 90s. Throughout the district, there are still water pipes from the time of the Soviet Union, most of which are no longer functional. Drinking water is not available in the villages as well as in the elevated areas of the town. Drinking water is often of poor quality and the locals either collect drinking water from natural sources or buy it in stores. There were cases when the residents did not have water for several days or weeks due to repair works.

Access to irrigation water is also problematic in some villages. Often, the locals draw irrigation water with their own resources. Residents also say that the climate is changing year by year and the rivers are drying up, so the naturally available water resources are decreasing, which they used for irrigation and other domestic purposes. They often wait for rain for irrigation and depend on it. Because of this, the locals say that the soil deteriorates and this negatively affects the quality of the harvest.

Gas infrastructure

There is no gas in the district. The gas here is only available with portable gas tanks, which can be filled only in the city of Gali, and in the villages the gas car goes inconsistently.

Electricity

Abkhazia owns 45% of the energy produced by the Enguri HPP, as part of the HPP is also located on the territory of Abkhazia. However, Abkhazia excessively uses electricity (56%), which is due to the fact that there is no other energy alternative to Enguri HPP in the region. That is why electricity is used for many purposes - for heating, lighting, household work and others. Because of this, electricity is supplied to the whole of Abkhazia every day, according to the established schedule, in winter. For example, in Sukhumi, electricity may be cut off for 6-7 hours, and in Gali, according to the schedule, it is cut off for 4 hours every day, from 5 to 7 during the day and from 3 to 5 in the morning.

The Gali residents cite several reasons for electricity shortages. First of all, according to them, Abkhazia excessively consumes electricity precisely because of the activities of Bitcoin "miners". In their interviews, the locals note that the activities of the miners are connected not only to local Abkhazians, Georgians and Russians, but also to Georgian officials.

The second reason for the shortage of electricity is the natural problems with the freezing and subsidence of water, due to which Enguri HPP cannot generate enough energy. Sometimes due to bad weather and decreased water in the Enguri reservoir, electricity is supplied to the local residents on a schedule.

In addition, the problem of electricity is often caused by the failure of the relevant infrastructure. Due to bad weather in the villages, the infrastructure is regularly damaged, which causes lack of electricity. For example, this problem is especially common in the village of Sida and other lowland villages, Chuburkhinji, Zemo Barghepi, Tagilon, Nabakevi and others. According to the locals, the infrastructure is being repaired, but it is not done thoroughly, which, in case of bad weather and wind, often causes damage and, accordingly, electricity power cuts.

In the highland villages of Lekukhona and Saberio, electricity supply is more regular compared to other villages. In the village of Saberio, there is a power station and a settlement of HPP employees, Chegali, which ensures that the issue is less problematic.

Public transport infrastructure

As for the transport system - there is no public transport in the city, only taxis are available. Public transport operates only in the direction of villages. On market days: Wednesday, Friday and Sunday you can get from the village to the city and vice versa. The schedule is also defined: the bus returns to the village early in the morning and in the afternoon. Transport goes both to the villages of the low zone of Gali (Chuburkhinji, Barghepi, Sida, Tagiloni, Nabakevi, Otobaya) and to the villages of the high zone, such as Saberio, Lekukhona, Rechki, Tskhiri, etc. Minibus taxis run every day from almost every village in all directions: Sukhumi, Gali, Enguri Bridge.

Internet

Almost everyone in Gali has access to the Internet, and almost every village has Abkhazian cable internet. In addition, Georgian satellite internet is also used in the border-line villages, although Abkhazian internet is qualitatively better than the Georgian one. Internet fee for 1 month in Abkhazia is 900 Rubles, i.e. 35 GEL.

Medical Infrastructure

In the Gali district, there is only the central hospital of Gali, and every village has a small outpatient unit. It is planned to open a private diagnostic center in Gali which will offer various medical services to the locals. An ambulance is located only in the village of Nabakevi and Otobaya, which constitutes a problem for the residents of other villages.

Only nurses who can provide first aid in rural medical centers (ambulatory clinics), with the exception of the village of Barghebi, where there are three nurses and one doctor at work.

Emergency medical care can only be provided at the Central Hospital of Gali, however, in severe cases, after a certain procedure, the patient is transferred to Zugdidi, Kutaisi, or Tbilisi for medical care.

Environmental situation in Gali

Locals are particularly concerned about the landfill in Gali. According to them, for the last four years, garbage has been brought from Sukhumi to Gali every day and dumped on an open landfill, which

damages the environment and the health of the people living there.³² In the village of Shashikvara, on windy days, a strong smell comes from the garbage dump, which is a concern for the locals.³³ About 1,400 residents live in the village of Shashikvara, which is 500 meters away from the landfill (this village is located two kilometers from the regional center of Gali), most of them ethnic Georgians.

According to locals, every day about 20 trucks come from Sukhumi to Gali and dump garbage. Garbage is thrown directly to the landfill, where it is neither processed nor sorted.³⁴

In 2019, the landfill in Mayak district of Sukhumi was closed at the request of local residents because it was overflowing. The head of administration of Gali district at that time, Temur Nadaraya, himself took the initiative to dump the garbage in Gali.³⁵ Previously, the mentioned landfill served only Gali, but since 2019, this landfill also serves Sokhumi. According to the locals, the soil and air are polluted, there is a terrible smell even in winter in case of wind, and the situation is unbearable in summer. This environment is also harmful for cattle because there are pastures near the landfill. The water that the locals use for drinking is also contaminated.³⁶ The head of the current administration of Gali, Konstantine Pilia, says that work on the opening of a new landfill in Gulripshi district, which was supposed to be opened in 2021, has been postponed until 2022.

Budget

The annual budget of Gali district is 192 million Rubles (8.5 million GEL), of which 48 million Rubles (2 million GEL) are collected by Gali district through taxes, and the rest is financed by the de facto budget of Abkhazia. The towns of Gagra, Sukhumi and Gudauta exceed the budget annually, which is mainly explained by the active tourist waves and tourism economy in these cities.³⁷

In December 2020, there was a noisy discussion in the de-facto parliament, where Abkhaz MPs raised the issue of reducing Gali funding. According to them, in Gali, where only about 1000 Georgians have received Abkhazian passports, they should not receive funding from the Abkhazian budget.³⁸

From 2021, Gali budget is getting smaller and smaller. For example, in 2021, the budget of Gali was reduced by 30%, on the grounds that local teachers and emergency doctors also receive salaries from the central government of Georgia, as a supplement, once in three months.³⁹ Doctors and teachers receive the so-called allowance from the central government of Georgia once a quarter. School teachers get 1000 GEL per quarter, and kindergarten teachers 600 GEL. It should be noted that while in the rest of Abkhazia teachers' salaries were increased by 100 or 150%, in Gali, the opposite happened and the salaries decreased.

³² Interview with a Galian human rights defender, June 2022.

³³ <https://www.radiotavisupleba.ge/a/დღეში-20-მდე-სატვირთო-მანქანა-ნაგავი-სოხუმიდან---რა-ეშველება-გალის-ნაგავსაყრელს/31660144.html>

³⁴ Interview with a Galian human rights defender, June 2022.,

³⁵ Filia on Gali landfill - we are considering the proposal to dispose of waste via Enguri, Radio Atinati, January 12, 2022. Available at: <https://www.radioatinati.ge/regioni/article/78431-filia-galis-nagavsayrelze-narchenebis-engurith-gatanis-tsinadadebas-ganvikhilavth.html>

³⁶ Life on the Dump, Kviris Palitra, January 24, 2022. Available at: <https://kvispalitra.ge/article/88582-cxovreba-nagavsagrelze/>

³⁷ Interview with a resident of Gali, June 2022.

³⁸ Гальскому району грозит урезание дотаций, 23 დეკემბერი, 2020, ეხოკავკაზა. <https://www.ekhokavkaza.com/a/31017724.html?fbclid=IwAR18dBciHhGS3tsgrFHegWAt5jqA3-DHRziYW3LmYPrLq4cGkc7OJemUiw>

³⁹ Interview with a Galian human rights defender, June 2022.

3. The issue of citizenship and documentation and related problems (access to basic rights)

Since 2005, the Law "On citizenship of the Republic of Abkhazia" has been in effect in Abkhazia, which defines the criteria for who can obtain Abkhazian citizenship and how. The Abkhazian passport is a document confirming the citizenship of Abkhazia, the possession of which is necessary for the exercise of various political and civil rights, including participation and standing in elections, and voting, obtaining a university diploma or school certificate, realizing property rights, crossing the border and accessing various "state services".⁴⁰

In 2009, the Parliament of Abkhazia adopted amendments to the Law on Citizenship, which established a simplified procedure for Georgians returning to Gali to obtain Abkhazian citizenship. However, as a result of pressure from the Abkhazian opposition, the de-facto president Sergey Bagapsh vetoed the bill and returned it to the parliament for review.⁴¹ At the end of 2010, the process of issuing passports was restored under the de facto president Sergey Bagapsh, albeit slowly and with difficulties. This process caused a political crisis in Abkhazia.⁴² Bagapsh, who had an ethnically Georgian wife, was accused by the opposition of anti-Abkhazian actions and creating a threat to Abkhazia. In order to ease the political crisis, in 2013, Bagapsh's successor, Alexander Ankvab, annulled about 20,000 Abkhazian passports issued to Galians and initiated the issuance of so-called "Form No. 9".⁴³ "Form No. 9" was used by Galians for movement, as well as for voting, obtaining a school certificate, and for other civil acts; Since 2017, the residence certificates for Galians have been introduced, thus partially replacing the so-called "Form 9" and old Abkhazian passports were completely annulled.⁴⁴ With residence certificates, Galians cannot participate in elections, pay double fees for utilities, cannot manage property.

Form No. 9 was also completely abolished in 2022, which makes the situation of Galian even more difficult. According to the information of the Public Defender of Georgia, until 2017, about 12,000 people used form No. 9. After 2017, the de facto administration made the situation even worse when it terminated the old Abkhazian passports and decided to replace "Form No. 9" with a residence certificate.⁴⁵ Many Galians were against obtaining a residence permit.⁴⁶ Its term is five years, which is already expiring for those who took this document in 2017. Obtaining a residence permit was unacceptable for the residents of Gali district, as it gave them the status of a foreigner in their native land. For a long time, many Galians refused to obtain residency status, but in the absence of another status, their freedom of movement was completely restricted. Therefore, they were forced to obtain

⁴⁰ Living in Limbo, 31.

⁴¹ Living in Limbo, 33.

⁴² Political transitions in Abkhazia and the present - interview with an Abkhaz civil activist, Social Justice Center, September 19, 2022. <https://socialjustice.org.ge/ka/products/politikuri-tranzitsiebi-afkhazetshi-daghevandeloba-interviu-afkhaz-samokalako-aktivisttan>

⁴³ Why do Gali Georgians need an Abkhazian passport, Radio Liberty, February 11, 2022. <https://www.radiotavisupleba.ge/a/რაში-სკირდებათ-გალელ-ქართველებს-აფხაზური-პასპორტი-31699227.html>

⁴⁴ The issue of documents required for movement in Gali district, DRI, 2021, 3.

⁴⁵ Report of the Public Defender, 2021. p. 331.

⁴⁶ Report of the Public Defender, 2021. p. 331.

residence permits.⁴⁷ The Galians were thinking that after 5 years with the residence permit, they would have the opportunity to receive Abkhazian citizenship, but this did not happen.⁴⁸ Abkhazian legislation allows dual citizenship only with the Russian Federation. Since Galians have Georgian citizenship, they cannot obtain Abkhazian citizenship, which is related to a number of legal restrictions. However, it is important to note that those Galians who have Abkhaz citizenship (approximately more than 1000 people) are also citizens of Georgia and this status has not been taken away from them.⁴⁹

Today, the vast majority of Galians do not have passports, they mostly hold Georgian ID cards and/or passports, which are not recognized by the Abkhazian de facto administration. The de-facto administration of Abkhazia does not make obtaining an Abkhazian passport obligatory for the population of Gali, however, since Abkhazian citizenship is directly related to various civil and political rights, it is indirectly mandatory. A 2011 report by Human Rights Watch noted a number of cases where teachers working in Gali were obliged to take Abkhazian citizenship.⁵⁰

Locals point out that very few people in Gali have the desire to receive Abkhazian citizenship. For them, this status is largely important for the realization of property rights and for crossing the so-called border, they are less interested in getting this status for any other purpose. According to Abkhazian sources, out of more than 30,000 people living in Gali region, only about 1,000 residents have the citizenship of the de facto Republic of Abkhazia.⁵¹ According to the Public Defender of Georgia, as of 2021, 20,224 people in the occupied Gali region have the so-called a residence card, and 1,065 people - a de facto passport.⁵² The respondents interviewed within the scope of the research noted that those who have received an Abkhazian passport are the residents of Gali who have a surname of Abkhazian origin and they were able to receive a passport because of this. There are also teachers and representatives of the administration in schools who got Abkhaz passports years ago, this may be because they are more loyal to the de facto administration and may have "pro-government" positions in the elections.⁵³

This issue became relevant in 2020 at the session of the de facto parliament, when one of the Abkhaz parliamentarians raised the issue of reducing the budget for Gali, because there were no Abkhazian citizens living here, and it would be better if the state budget were distributed to other districts.⁵⁴

Even if they wanted, it is practically impossible for ethnic Georgians to obtain the status of a citizen of Abkhazia. Abkhazian "legislation" allows an ethnic Abkhazian, regardless of their place of residence, to obtain Abkhazian citizenship, while other ethnic minorities need to meet the criteria established by

⁴⁷ The issue of documents required for movement in Gali district, DRI, 2021, 3; Interview with a Galian human rights defender, June 2022.

⁴⁸ Interview with a Galian human rights defender, June 2022.

⁴⁹ Interview with a Galian human rights defender, June 2022.

⁵⁰ Living in Limbo, 37-39.

⁵¹ <https://www.radiotavisupleba.ge/a/რაში-სკირდებათ-გაღელ-ქართველებს-აფხაზური-პასპორტი-31699227.html>; Эхо Кавказа, 2017, Гальскому району грозит урезание дотаций. Available at: <https://www.ekhokavkaza.com/a/31017724.html?fbclid=IwAR18dBclHhGS3tsgrFHegWAt5jqA3-DHRziYW3LmYPrLq4cGkc7OIJemUiw>

⁵² Report of the Public Defender, 2021. p. 332.

⁵³ Interview with Galian human rights defenders, June 2022..

⁵⁴ The issue of documents required for movement in Galio district, DRI, 2020, 8.

law to obtain citizenship. One of the main requirements is that an ethnically non-Abkhazian can get Abkhazian citizenship if he/she lived in Abkhazia for 5 years before 1999 (before the declaration of independence of Abkhazia). This automatically excludes the ethnic Georgians displaced from Gali in 1992-1993, who gradually returned from 1994 to 1998 and then found themselves again in exile due to renewed armed conflict.

Obtaining Abkhaz citizenship is also possible through naturalization, which obliges ethnic Georgians to renounce Georgian citizenship and go through a long and challenging administrative process. The respondents mentioned that not only the Abkhazian passport, but also any other document is related to a long-term, tiring, unfair, discriminatory and corrupt process. To get any documents, they need to prove that they have been living in the territory of Abkhazia since 1994 and have a property. For rural residents, obtaining any documents is also associated with additional difficulties (transportation, financial resources), as they have to commute to the town of Gali during the entire process. In one of the interviews, it was also mentioned that the decision to refuse citizenship was appealed to the Supreme Court of Abkhazia several times, although this issue was not resolved in their favor, and the refusal decision was upheld.⁵⁵

Obtaining a residence permit or passport is associated with prolonged, bureaucratic process and corruption for Galians.⁵⁶ *“When submitting the documents, they tell you that it takes from 2 weeks to 1 month to receive the document, but this is not the case. There are also practices where this procedure lasts one or two years. Not for everyone, but about 10% of the population had such an experience. Basically, this process lasts for 6, 8, 10 months or more than a year. If you pay the money, the procedure is simplified, but there are no guarantees. We have this problem now. Many have paid money, and in order to print the document, there is no ink, which comes from Russia. There is no paint in Russia, because it is supplied from Turkey, and because of the ongoing war in Ukraine, it cannot be supplied now, therefore Abkhazia cannot receive it either, and in this case Abkhazia is powerless.”*

According to the Galians, there are huge lines to submit the documents.⁵⁷ They also complain that the police officers are treating them badly. In addition, it costs them 1,500 Rubles to submit each document, and they can stand in line for several weeks. Therefore, it is necessary to give an additional bribe, about 2000 rubles (89 GEL), in order to speed up the process.

According to the 2018 report of the Public Defender of Georgia, a total of 10,332 applications for residence permits were made in 2017-2018, and only 4,528 certificates were issued; In 2019, more than 13,400 residents of Gali applied to obtain the so-called "residence certificate". About 6000 applications were approved.⁵⁸

In 2019, the de-facto administration of Abkhazia also submitted a proposal to replace Megrelian surnames with Abkhazian endings, on the basis of which the Galians will be able to receive a passport

⁵⁵ Interview with a Galian human rights defender, June 2022

⁵⁶ Georgians in Gali — foreigners in their own land, October 9, 2017, OC MEDIA. <https://oc-media.org/kartvelebi-galshi-utskhoelebi-sakutar-mitsaze/>

⁵⁷ *ibid.*

⁵⁸ 2020 report of the Public Defender of Georgia on the state of protection of human rights and freedoms. Available: <https://www.ombudsman.ge/res/docs/2021040110573948397.pdf>

of an Abkhazian citizen.⁵⁹ At the request of the de-facto government of Abkhazia, those Georgians who regain their true "Abkhaz origin" and become "Abkhazians of Samurzakhano" will receive Abkhazian passports, and the de-facto government will help them get Russian passports. For the Gali, this will be related to free border crossing to Russia and a Russian pension. As the current governor of Gali district, Konstantine Filia, said, the process of granting citizenship as a result of the change of surnames is slow, because the consideration of applications by the de-facto authorities is delayed. According to him, at the end of December 2020, there were 890 people on the list who went through all the procedures and changed their surname, although they have not received citizenship yet. According to the information of the Public Defender, 372 Abkhazian passports were issued in Gali in 2019 and more than 700 in 2020.

The Georgian government considers the Gali as its citizens and refugees. Accordingly, people living here receive the displaced person's allowance established by the state.

4. Movement in the Georgia controlled territory

From the end of the war until now, the rules for crossing the ABL were constantly changing and are still changing frequently depending on the general political situation. However, as the locals often point out, the freedom of movement has become critical after the war of August 2008, and the situation is getting worse every year.

In the 90s, people could easily cross the dividing line with documents from the time of the Soviet Union, or a birth certificate, as well as simply by giving a bribe. The practice of giving bribes took deep roots even after the end of the war and this practice is still actively used today.

Today's situation is as follows: in order for the residents of Gali and Gali district to move to the controlled territory of Georgia, they need to present "Form No. 9" (from 2022 this document will be annulled),⁶⁰ a residence certificate or a document confirming the "citizenship" of Abkhazia; Persons under the age of 14 will be allowed to travel with a birth certificate. It is also possible to travel with a Georgian passport, if this person has a permit to enter the territory of Abkhazia (the so-called visa). As discussed above, obtaining these documents is associated with a difficult, long and expensive process for the residents of Gali district, which also complicates the possibility of movement in the controlled territory.

According to official information, the length of the occupation line in Abkhazia is 145 km, and the length of the artificial barriers (ditches, barbed wire, etc.) created by the occupying forces is 48 km.⁶¹ According to the 2020 and 2021 reports of the State Security Service, a total of 25 cases of "borderization" were recorded in Abkhazia.

⁵⁹ The issue of documents required for movement in Gali district, DRI, 2021, 3.

⁶⁰ Why do Gali Georgians need an Abkhazian passport, Radio Liberty, February 11, 2022. <https://www.radiotavisupleba.ge/a/რაში-სკირდებათ-გალელ-ქართველებს-აფხაზური-პასპორტი-31699227.html>

⁶¹ Restriction of free movement in Abkhazia and South Ossetia, DRI, 2020. p. 13.

Until 2009, it was officially possible to cross from Abkhazia to the Georgia controlled territory only through the Enguri bridge, although the population was still able to move via side roads. Since 2009, 4 additional checkpoints have appeared - Shamgona-Tagilon, Khurcha-Nabakevi, Orsantia-Otobaya, and Pakhulani-Saberio crossings. The population actively used these crossing points until 2016, when the de-facto administration began to terminate the crossing points. The Shamgona-Tagilon crossing was terminated at first in April 2016, then it was followed by the closing of the Khurcha-Nabakevi and Orsantia-Otobaya crossings on March 4, 2017. As of today, there are only two crossing points - the Enguri bridge and the Pakhulani-Saberio crossing.⁶² Termination of crossings was critically assessed by international organizations and human rights defenders, as it was expected that this process would have a sharp negative impact on the legal and social situation of residents of Gali district, including access to health care.⁶³ Along with the termination of crossings, the sanctions for the illegal crossing of the so-called borders also increased. Until 2016, the fine was about 80 GEL (2000 rubles), and after 2017, the sanctions were tripled, and in case of repetition, administrative imprisonment was imposed.

Those who do not have any documents, or have them but the crossing point is closed, have to find their way to the Georgia controlled area "illegally", by swimming across Engrui, or through forests, in dangerous conditions. The Galian also move from the highlands to the controlled area, although at this time they have to travel a long way through the mountains, which takes 7-8 hours on foot and in some places the road is unmarked. Crossing the border "illegally" has claimed many lives over the years. In this regard, the situation became particularly aggravated under the conditions of the Covid-19 pandemic, when movement in the direction of Abkhazia and Tskhinvali region was completely restricted, and due to acute social needs, people were secretly crossing to the controlled territory of Georgia.⁶⁴ In the first three months of 2021, according to Abkhazian sources, 3,000 people were arrested for "illegal crossing of the border". Movement was made especially difficult during quarantine regime imposed by the Georgian authorities, which for people living in the conflict regions often constituted a heavy social burden, and in some cases even tragic, when people needed urgent medical care.⁶⁵

In the last 4 years (2018-2021), 79 citizens of Georgia were arrested on charges of illegal so-called border crossing in the direction of Abkhazia.⁶⁶ However, it should be noted here that the security services of Georgia do not have access to accurate data, and according to their explanation, the number of persons arrested on the charge of illegally crossing the so-called border is about 10-15% of the actual number.⁶⁷ For example, in 2009-2016, according to the data of the Border Guard Service of the Russian Federation, the number of detainees was 14,000.

⁶² Report of the Public Defender of Georgia, Impact of the closure of crossings on the legal situation of the population living at the dividing line of Abkhazia, 2017. 4. State Security Service letter, August 31, 2022.

⁶³ Report of the United Nations High Commissioner for Human Rights on cooperation with Georgia A/HRC/36/65, 17 August 2017, 52-56;

⁶⁴ Government must work to substantially improve the movement in conflict regions, April 8, 2021. Social Justice Center. <https://socialjustice.org.ge/ka/products/arsebithia-sakartvelos-mtavrobam-konfliktis-regionebtan-mimosvylis-rezhimis-arsebit-gaumjobesebaze-imushavos>

⁶⁵ What problems does the 5-day quarantine cause for residents behind the dividing line, April 6, 2021. Netgazeti. <https://netgazeti.ge/news/532122/>

⁶⁶ Reports of the State Security Service for 2018, 2019, 2020 and 2021.

⁶⁷ Restriction of free movement in Abkhazia and South Ossetia, DRI, 2020. p. 13.

Cases of illegal detention sometimes occur in the Georgia-controlled territory.⁶⁸ One of the high-profile cases occurred in the village of Khurcha on January 18, 2012, when the Russian military detained three citizens of Georgia, two of them women, who "illegally immigrated" from occupied Abkhazia.⁶⁹ In this case, 8 Russian soldiers crossed into the Georgia-controlled territory through Khurcha-Nabakevi crossing point.⁷⁰

Noteworthy, in recent years, the number of people returning seasonally to Gali from the Georgia-controlled territory has significantly decreased, which is connected with the lack of passports and necessary documents related to the crossing of the dividing line. In previous years, students returned to Gali, residents returned to the villages during seasonal work, or IDPs living in Zugdidi often visited their elderly parents and relatives. Due to the problems with the documentation, these people cannot cross the so-called "border" and cannot help their relatives. Single elderly people who have no contact with their relatives for months are in a particularly difficult situation.

In addition, during the crossing of ABL, the people of Gali have to pay a toll when transporting products. This rule does not apply to small hand luggage, and products that a person carries for personal/family use, however, for large quantities of products, furniture and other large household items, the people of Gali are forced to pay a certain amount to the so-called border guards, although these amounts are not defined and determined in advance, and depend on the strictness of control on each particular day. With nepotism, it is possible to be able to move items without paying any taxes at all or to have the amount to be paid reduced.

The Galian also note that the control over the transfer of items, including personal belongings and small hand luggage, is very tight at the checkpoints on the Georgian side. During the interviews, a number of Galian mentioned that often the treatment by Georgian law enforcement officers is very strict, humiliating and aggressive, and the control and search of personal belongings often takes rude forms.

5. Access to services and state programs in the Georgia controlled territory and relations with the central government

During the conducted interviews, the residents of Gali and Gali district note that people often do not know about the services that the Georgian side offers them. Access to information and openness in accessing these services is a significant barrier for them.⁷¹ According to them, many people don't know which program they can utilize, or they don't know whom or which agency to contact, what procedures they have to go through to get the appropriate service. One of the interviewees noted: *"Just as there are major service-related problems in Gali, the relationship with the Gali resource center is no less problematic - they have a rather nepotistic attitude there as well. There are many challenges... this system must be improved!"*

⁶⁸ Restriction of free movement in Abkhazia and South Ossetia, DRI, 2020. p. 14.

⁶⁹ Khurcha resident on occupants: we joke that it is no problem if they come in anytime, January 19, 2021. Formula News. <https://formulanews.ge/News/43828>

⁷⁰ Barbed wire zone, mass violations of human rights at the dividing lines of Abkhazia and South Ossetia, Human Rights Center, 2019, p: 9-15

⁷¹ Interview with a Galian human rights defender, June 2022.

In addition to problems related to access to information, residents of Gali often note that they feel discriminated against by the Georgian authorities. They note that the state perceives the population of Gali only based on the status of citizens of Georgia and does not take into account the challenges that this population has due to living in the conflict zone. Consequently, the Georgian government does not offer them additional support services and programs, which is why they feel discriminated and forgotten.

In the interviews, the population of Gali expressed particular concern that the healthcare programs and benefits, that are defined for people living in the territory of Abkhazia were not applied to them. As an example of this, the population of Gali often mentions the "State Program of Referral Services", which today is called one of the most successful programs, that operates in Abkhazia and South Ossetia/Tskhinvali regions of Georgia. During the interviews, several respondents mentioned that only those health care programs are applicable to them that are available for all citizens of Georgia, and despite the occupation and related insecurity, trauma and vulnerability, their medical needs are not fully financed by the state.

During the working meeting held with the representative of the Ministry of Health within the framework of the study, the representatives of the Ministry explained that the programs defined for Georgian citizens apply to the residents of Gali and Akhgori, while the State Program of Referral Service applies to non-Georgian citizens living on the territory of Abkhazia and Tskhinvali region.⁷² The ministry also noted that any person living in Abkhazia (except for Georgian citizens living in Gali), as well as people living in the Tskhinvali region, except for Georgian citizens, can benefit from the annual state support of 70,000 GEL for relevant medical services within the framework of this program, for people living in Gali (who mostly have Georgian citizenship) this limit is 15,000 GEL.

However, a completely different regulation is established under the 2010 Resolution of the Government of Georgia N331 on the creation of a commission and the determination of the rules of its activity for the purpose of deciding on the provision of appropriate medical assistance within the framework of "Referral Service". According to paragraph (b) of Article 2 of this resolution, among the persons benefiting from referral medical assistance are citizens of Georgia living in the territories provided for by Article 2 and Article 10, Paragraph 2 of the Law "On Occupied Territories" and stateless persons permanently residing in Georgia, regardless of having a certificate of Georgian citizenship or a corresponding official document. According to the Law on Occupied Territories, Gali and Akhgori districts are included in the definition of such territory. Later, this information was approved by the Ministry of Healthcare in the provided public information, where the ministry defined that Autonomous Republic of Abkhazia, Tskhinvali Region (former Autonomous District of South Ossetia), also municipalities of Perevi, Kurta, Eredvi, Ajara villages in Sachkhere region and Akhgori municipality were included in State Referral Service Program.

From the statistical data provided by the Ministry of Health, the number of Georgian citizens permanently living in the territories of Abkhazia and Tskhinvali region, who participate in the State Referral Service Program, is significantly lower than the number of other people living in these territories who benefit from this program annually.

⁷² Meeting at the Ministry of Health, 7 September, 2022.

	2017	2018	2019	2020	2021	2022
Resident of Abkhazia	1137	1317	1305	756	1032	717
Citizens of Georgia residing on the territory of Abkhazia	1	3	70	194	33	27
Residents of Tskhinvali Region	507	352	247	115	215	203
Citizens of Georgia residing on the territory of Tskhinvali region	2	2	13	29	4	15

According to this data, over the past 6 years, 6,264 people living in the territory of Abkhazia and 328 citizens of Georgia residing here have benefited from the referral program. As for the Tskhinvali region, over the last 6 years, 1,639 people have benefited from this program, and 65 Georgian citizens who live in the territory of the Tskhinvali region. It is noteworthy, that the number of Georgian citizens who benefited from the referral program was the highest during the pandemic period, then this number significantly decreases. It was also particularly low in 2017-2018.

On the one hand, the presented statistical data and on the other hand, the opinions of the population of Gali and Akhagori districts interviewed during the research period, unanimously indicate that the information about the state's special programs is not sufficiently accessible and transparent for the population living in the conflict regions. The government should further work on the effectiveness of informing population on process of providing its services in this and other fields. The state should also take effective measures to popularize these programs, increase number of applications and support the population in the referral process. Hereby, it is also important that the relevant state agencies take into account the difficulties and challenges that people living in Gali and Akhagori have and, when checking the prerequisites for inclusion in the program, do not impose on them the complex and bureaucratic requirements necessary to confirm their place of residence in this region.

Restrictions on freedom of movement in turn cause critical problems in access to vital health services.⁷³ Often the procedures required to obtain a travel permit prevent access to timely health care in an emergency.⁷⁴ Saberio Hospital in Gali district is also facing critical challenges. There is no basic infrastructure needed for diagnosis, such as x-ray and ultrasound equipment. The ambulance vehicle also often breaks down. The problem of medicines is also acute here, Saberio Hospital receives medication mainly from the Georgia controlled territory, however, during the restriction of freedom of movement, especially during the pandemic, this process was also complicated.⁷⁵

During the pandemic, when the passage on the Enguri bridge was closed and Galian had to go through mandatory quarantine in case of crossing into the controlled territory of Georgia, the worst cases when the population could not receive their social assistance and pension. Many people were unable to get their medications, people with chronic illnesses could not access the services. The population

⁷³Restriction of free movement in Abkhazia and South Ossetia, DRI, 2020. p. 18-20

⁷⁴ The current situation in terms of human rights protection in Abkhazia and Tskhinvali region/South Ossetia, DRI, 2020. p. 14.

⁷⁵ The current situation in terms of human rights protection in Abkhazia and Tskhinvali region/South Ossetia, DRI, 2020. p. 15.

of Gali is completely dependent on the Georgia-controlled territory of Georgia in terms of receiving basic services and needs. Therefore, when such restrictions were imposed, the special vulnerability of the population of Gali and their fragile socio-economic situation were revealed even more.

Against the background that the medical equipment and transport of medical institutions in the Gali region are outdated and need to be modernized, the existing barriers in terms of moving to the controlled territory make it even more difficult for the Gali people to access timely and quality healthcare.⁷⁶

In addition, residents of Gali say that during the Covid-19 pandemic, trust in the Georgian side has completely disappeared. They note that the state has not done anything to support the Georgians living in Abkhazia. *"Medicines and anti-covid equipment were probably sent to Gudauta, I guess, because there was a covid center/hospital opened in Gudauta then, and all the resources were taken there, because Gali did not have much need at that time. However, when, say, a 100% package arrives in Gali, 30% of it is left to Gali, 30% is misappropriated, and 30% is probably taken somewhere. But this was not the only factor why the trust was lost.."*

"During the pandemic, the border was closed, the Abkhaz side allowed people out, while the Georgian side did not let in. People had to undergo a 2-week quarantine...";

"If Georgia perceives the people living in Abkhazia as citizens of Georgia and recognizes the territorial integrity of the country, why was there such discrimination against the Galians?" Why didn't people going somewhere from Tbilisi and Kutaisi undergo quarantine? People who came from Gali to buy products and medicine had to go through a 2-week quarantine. Because of this, people did not move to the Georgian side, and they had to deal with all this in Gali in very difficult financial and health conditions, without any state support."

Locals recall 2 fatal cases: one in the Anaklia hotel, where a nurse from Gali died of a heart attack, and the second case, when river Enguri killed 4 people. In order not to be quarantined, these people illegally sneaked into the controlled area to buy products and medicines and also to use various services.

During the interviews, the Gali residents mentioned that during the Covid period, due to the restriction of the freedom of movement by the Georgian side, the local population experienced economic crisis. According to them, 80% of the local population is engaged in sales, and moving to the Georgia controlled territory is vital for them. The so-called border closure left people without income.

6. Right to education

Before the war of 1992-1993, there were 58 general educational institutions in the territory of Gali district (51 Georgian, 1 Abkhazian and 6 Georgian-Russian general educational schools and 1 agricultural technical school),⁷⁷ where a total of 13180 students were enrolled and 1638 teachers

⁷⁶ Restriction of free movement in Abkhazia and South Ossetia, DRI, 2020. p. 18-20

⁷⁷ Official website of the Autonomous Republic of Abkhazia: Gali, available at:<http://www.abkhazia.gov.ge/cities/GALI>

taught.⁷⁸ During the war hostilities, 19 schools were burned in this district. ⁷⁹ After the war, the population who voluntarily returned, on their own initiative, managed to restore the educational process in 31 schools. However, the de facto administration of Abkhazia changed the borders of Gali district in 1994 and assigned several villages of Gali to Ochamchire and Tkvarcheli. Accordingly, 11 villages in these villages remained outside Gali. Gal itself was divided into "upper" and "lower" zones, as of today there are 9 schools in the upper zone and 11 in the "lower" zone. According to the data of the 2021-2022 academic year, 30 complete general education schools, 9 pre-school institutions, and 5 art schools are functioning in the occupied Gali district.⁸⁰

The right to education in the mother tongue is one of the most critical problems for ethnic Georgians living in Abkhazia. This problem does not affect other ethnic minorities in Abkhazia, for example Armenians, because there are Armenian language schools in Gagra, Gulrifsha and Ochamchire. These schools provide Armenian-language education with appropriate textbooks, although Russian and Abkhaz languages are also taught in these schools. The same rule does not apply to the Georgian-speaking population.⁸¹ 11 Georgian schools belonging to Tkvarcheli and Ochamchiri districts have switched to Russian-language teaching since 1995. In the villages of the upper zone of Gali, the transition to the Russian language began step by step starting from the first grade and the process of the complete transition to the Russian language was completed in 2004-2005.⁸²

This rule did not affect the Gali villages of the lower zone until 2015, where the Georgian-language curriculum and teaching was maintained. The schools of the lower zone were not integrated into the educational system of Abkhazia until 2005. Abkhazian diplomas have been issued here since 2007. The main concern of the Abkhazian administration was related to history and geography textbooks, because in these schools teaching was still conducted in Georgian, with Georgian textbooks, and they insisted on teaching these subjects with Abkhazian books.⁸³ It should be noted here that formally, all schools in Gali were declared Russian-language schools by the de facto administration of Abkhazia, and, simply because of the lack of resources, they could not replace Georgian teaching with Russian at the same time.⁸⁴

The situation has changed radically since the summer of 2015, when the Abkhazian de-facto government made a decision to introduce Russian-language education in the first four grades in the schools of lower Gali, where Georgian education was informally maintained. Obviously, with the plan that upper classes would be gradually transferred to the Russian language. At first, Georgian language was taught in these schools as a foreign language for three hours a week.⁸⁵ Teaching in the Georgian

⁷⁸ Tornike Zurabishvili, *Restriction of education on mother tongue in Gali district: in search of a solution*, policy document, GRASS, 2016, p. 4.

⁷⁹ Human Rights Watch, *Living in Limbo*, 2011, 48.

⁸⁰ Report of the Public Defender, 2021. p. 333.

⁸¹ Thomas Hammerberg, Magdalena Grono, *Human Rights in Abkhazia Today*, 2017, p. 35.

⁸² Special Report of the Public Defender of Georgia, *Right to Education in Gali District: 2015-2016 Academic Year News and Related News*, Tbilisi, 2015.

⁸³ *ibid*, p 36.

⁸⁴ Tornike Zurabishvili, *Restriction of education on mother tongue in Gali district: in search of a solution*, policy document, GRASS, 2016, pp. 6-7.

⁸⁵*ibid*, p. 37.

language was gradually banned in all classes of all schools in Gali, and from September 2022, teaching was conducted fully in Russian.⁸⁶ The teaching of Georgian as a foreign language was gradually reduced in all schools, and as of today, it is only 1 hour per week.⁸⁷

The transition to Russian language learning was difficult not only for students, but also for teachers, because many did not know Russian at all. According to the locals, the integrated Georgian-Russian education would be the optimal variant, so that they could learn Russian more intensively and definitely receive education in their native language.

The ban on receiving education in the native language primarily affects the level of general education, because in Gali neither the teachers' knowledge of the Russian language is at the level to teach well, nor can the children learn subjects in this language perfectly.⁸⁸

In Abkhazia as a whole, including the Gali region, school textbooks come from the Russian Federation and all subjects are taught with these books, except for the textbooks on the geography and history of Abkhazia, which have Abkhazian authors.⁸⁹

During the research, the interviewers noted that in the teaching process, the outdated approaches of the Soviet Union are found almost all educational institutions. However, with the arrival of a new generation, the facts of corporal punishment are decreasing. The second high school of Gali is characterized by particularly strict and oppressive approaches towards ethnic Georgians, which was noted by a number of respondents during the research. In 2010, a Georgian-hating school director (Akhra Kvekveskiri) was appointed to the school, who brought ethnic Abkhaz teachers from Sukhumi, Ochamchir and Tkvarcheli to the school, in order to gradually give the school a full Abkhaz character. According to the respondent, a number of facts of intimidation, physical and moral abuse were observed in this school. This situation was especially critical in 2010-2015. For example, the respondents recall that the student got a phone call during the lesson. The Abkhazian teacher dragged the student by their hair in the classroom and threw the student's phone out of the window. They also remembered the case when children were punished for missing classes by a whipping them at the parent-teacher meeting, and the parents had to apologize as well. After this incident, several students fainted. The school management is particularly strict and aggressive towards this class, because the children actively protect their Georgian identity and language. In the same school, the teacher of the Abkhazian language treats the Georgian language and Georgians with special hatred, they openly express that they hate Georgians and wants Georgia to disappear as a nation. There was a case when students had a Georgian language textbook on their desk. The teacher tore these books and threw them from the fourth floor. The students resisted the teacher, after which he started threatening and cursing them. Today, such facts are relatively less common, which is explained by the fact that the

⁸⁶ Tornike Zurabishvili, Restriction of education on mother tongue in Gali district: in search of a solution, policy document, GRASS, 2016, p. 4.

⁸⁷ Special Report of the Public Defender of Georgia, Right to Education in Gali District: 2015-2016 Academic Year News and Related News, Tbilisi, 2015, p. 5.

⁸⁸ Tornike Zurabishvili, Restriction of education on mother tongue in Gali district: in search of a solution, policy document, GRASS, 2016, p. 4.

⁸⁹ Special Report of the Public Defender of Georgia, Right to Education in Gali District: 2015-2016 Academic Year News and Related News, Tbilisi, 2015, p. 5.

wave of resistance among students and parents has subsided, and the strict demands of Abkhaz teachers and principals that children speak Russian at school are largely fulfilled. Today, the students note that they have a normal relationship with the Abkhaz teachers (as a result of the arrival of new generation teachers), although they also constantly instruct the children to speak and study in Russian. Despite this general discriminatory background, there are still some Galian teachers left in the second secondary school, who, despite many difficulties, do their best to give children a quality education.

In the first secondary school of Gali, such oppressive and discriminatory approaches are not observed, although education is entirely in Russian and Georgian is not taught at all. This school was Russian-speaking even before 1994.⁹⁰

As for schools in villages, the facts of discrimination and oppression are not mentioned here. Respondents say that there are strict approaches left over from the Soviet Union, although there are no facts of ethnic discrimination, on the contrary, in the conversation of all respondents, it was observed that there are very close and warm relations between the school director, teachers and students.

In order to receive education in the mother tongue, it was a common practice in previous years in Gali to commute from the villages close to the dividing line, to schools in the neighboring villages. However, since the tightening of so-called border control in 2016 and the closure of crossing points, this movement has also decreased or stopped altogether.⁹¹ For example, in 2013, 48 students commuted from the village of Saberio in the Gali district to the school in the village of Tskoushi in the municipality of Tsalendjikha, and in this regard the „border control“ was not strict for the students. However, in 2015, this number decreased to 11.⁹² In 2015-2016, 15 students would travel from Otobaya village of Gali district to Ganmukhuri village of Zugdidi, (while in 2013 this number was 34), and since 2017 not a single student commuted. According to the 2017 special report of the Public Defender, the situation is similar in kindergartens, for example, in the kindergarten of Khurchi village of Zugdidi municipality, 11 children from the village of Nabakevi were enrolled in 2016, two children in 2017, and none since then, because the Khurcha-Nabakevi crossing was completely closed. The situation is similar in the village of Orsantia, where five children from the village of Otobaya in the Gali district went to kindergarten, and none after the crossing was closed.

As a result of the restriction of the right to education in the native language, the number of students in Gali district schools is decreasing year by year. In 2022, 3778 students from 1st to 11th grade are enrolled in 30 schools of Gali district. For comparison, in 2017, this number was 4267.⁹³

⁹⁰ Tornike Zurabishvili, Restriction of education on mother tongue in Gali district: in search of a solution, policy document, GRASS, 2016, p.10.

⁹¹ Report of the Public Defender of Georgia, Impact of the closure of crossings on the legal situation of the population living at the dividing line of Abkhazia, 2017. p.10.

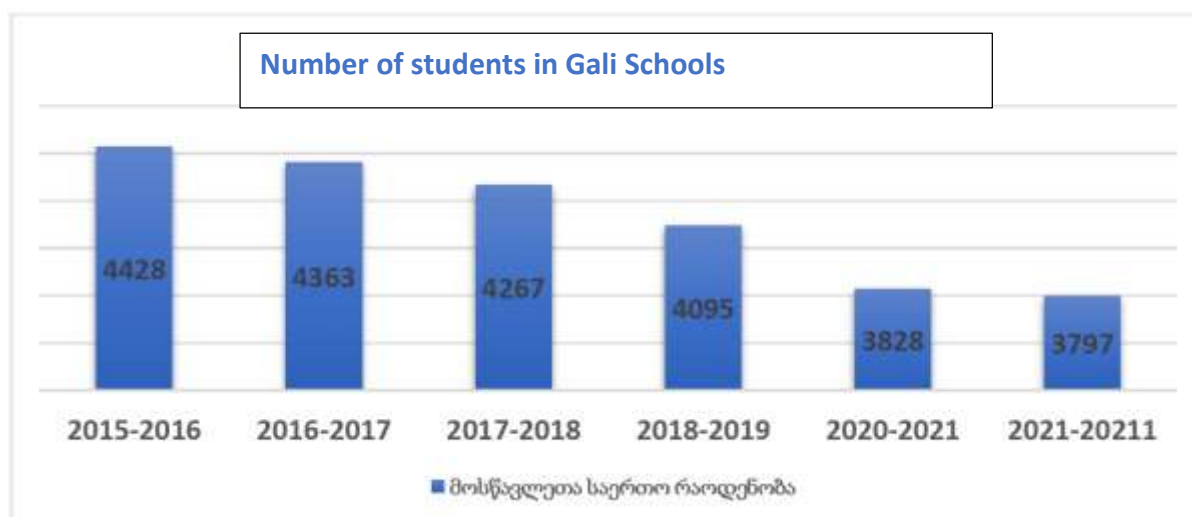
⁹² Special Report of the Public Defender of Georgia, Right to Education in Gali District: 2015-2016 Academic Year News and Related News, Tbilisi, 2015, p. 9.

⁹³ Public information received from the Education Resource Center of Gali District, Ministry of Education and Culture of Abkhazia, October 19, 2022.

Gali district student cohort of 28 secondary and 2 public schools in 2017-2022

Year	2017	2018	2019	2020	2021	2022
School	31	30	30	30	30	30
Student numbers	4267	4087	4095	3797	3770	3778

509 children are enrolled in kindergartens. In 2020-2021, this number was 557.⁹⁴



Note: The graph is taken from the 2021 report of the Public Defender of Georgia, page 333.

In addition, during the interview, it was mentioned that since the infrastructure is not developed in the villages, where there is no school or kindergarten, they mostly move to the city or completely leave Gali district.⁹⁵

According to locals, the Georgian side is doing nothing to preserve the Georgian language in the schools of Gali and Gali district. There is no program that would improve the quality of Georgian language teaching in Gali and district or for students from Gali. According to the respondent, the only thing that the Georgian side does to ensure the right to education in Gali is that every three months they pay 1000 GEL to school teachers and 600 GEL to kindergarten teachers. According to the information of the Gali Educational Resource Center, the budget allocated by the central government within the framework of the financial assistance program for teachers and administrative-technical personnel in 2020, 2021 and 2022 was 4,185,000.00 GEL. Compared to 2017, this number has increased by more than one million GEL.

It is also worth noting here the "Preparation program for post-school education", through which people living in the occupied territories, who received a document confirming general education in the occupied territories and this document is recognized by the Ministry of Education of Georgia, will undergo an intensive training course in order to continue their studies at a higher education program. On the basis of the funding allocated by the Ministry, the beneficiaries are provided with a scholarship,

⁹⁴ Report of the Public Defender, 2021. p. 333

⁹⁵ Interview with Galiian human rights defenders, June 2022

accommodation (if necessary), necessary conditions for studying and study materials. This program was launched in 2019, and since then a total of 139 individuals have been given the opportunity to continue their studies at a higher education program.⁹⁶

Higher education in Abkhazia

Every year 14 students from Gali region receive financial support to study at Sukhumi University - they study for free and live in a student dormitory in Sukhumi.⁹⁷ There is a very skeptical attitude on the part of the students of the lower zone of Gali about studying in Sukhumi, because they do not know the Russian language well. In addition, they doubt how they will be accepted in Sukhumi as Georgians, what will be the attitude of Sukhumi lecturers, etc. That is why most of the Galilians still prefer to get higher education in the Georgia controlled territory.

It is clear from the interviews that more students from the town of Gali go to study in Sukhumi than from the villages. Studying in Sukhumi is not always associated with negative attitudes. According to the residents of Gali and the village of Zemo Barghepi, they were received more warmly in Sukhumi than they expected. Of course, some of the students and lecturers of Sukhumi University have a negative attitude towards the Gali residents, although there are also people who, on the contrary, approve of the fact that the Gali residents choose to go to Sukhumi University to study.

Abkhaz students often continue to receive higher education in Russia, and there are special financial benefits and programs for this. However, the mainly Abkhazians take these places and there is no place left for the residents of Gali. According to the respondents, those who managed to do this invested a lot of financial resources and had good contacts. As for getting an education in Europe, it is possible only through the programs available in the Georgia-controlled territory. Also within the framework of the Chevening program, young people living in Abkhazia can receive funding for a master's program in Great Britain. Applicants participate as representatives of the South Caucasus.

As for obtaining higher education in the Georgia-controlled territory, on October 3, 2019, amendments were made to the Law of Georgia on Higher Education, according to which Georgian citizens who studied in the last 2 years and received a document confirming complete general education in the occupied territory provided for by the Law of Georgia "On Occupied Territories" from the existing general educational institution and whose complete general education has been recognized by the Ministry of Education of Georgia, will be enrolled in the higher educational institution of Georgia without passing the unified national exams/ master's exams, the rules of their enrollment and financing are approved by the Minister of Education and Science of Georgia.⁹⁸ In 2020, 393 persons living in the occupied territories of Georgia were granted the right to enroll without passing the unified national exams, of which 391 persons were granted funding. 27 persons who live in the occupied territories of Georgia were granted the right to enroll in the master's degree program without master's exams, and 21 persons were granted funding. In 2021, 276 people living in the

⁹⁶ Information provided by the Ministry of Education and Science of Georgia, September 8, 2022.

⁹⁷ Interviews with contact persons. Gali district. May-June, 2022.

⁹⁸ <https://mes.gov.ge/content.php?id=12953&lang=geo>

occupied territories of Georgia were granted the right to enroll without the unified national exams, all of whom were financed.⁹⁹

During the interview, the respondents noted that the possibility of enrolling in universities in the Georgia-controlled territory of Georgia without an exam had a negative effect on the Gali students, because they have lost the motivation to study, and the teachers also say that the quality of the student education has significantly dropped.¹⁰⁰

In general, during the last 6 years (2016-2021), a total of 9,284 students from Abkhazia were enrolled in higher education institutions of Georgia, of which 1,889 were from Gali.¹⁰¹ Immediately after the emergence of the possibility of enrolling in higher education institutions of Georgia without an exam, the number of those enrolled from Gali region practically doubled. If in 2018 this number was 138, in 2019 it reached 337.¹⁰²

It should be noted here that the number of graduates from Gali in the same period is 701 students. 448 students from Abkhazia enrolled in 2016-2021 were financed within the social program of student financing.¹⁰³ The students received these funds from the central government of Georgia within the framework of the student social assistance program, which includes those students who received general education in the occupied territories.¹⁰⁴

Regarding the increase in the number of students from the Gali region, in 2019, the current de facto head of the Gali region, Temur Nadaraya, said that these students would be deprived of their residence permits should they chose Georgian universities to study.¹⁰⁵ However, this threat was not fulfilled by the local de facto administration. In 2022, the new de-facto head of the administration of Gali, Konstantine Pilia, also stated that he is concerned that young people from Gali are mostly going to Georgia to continue their studies and not staying in Abkhazia. According to him, in 2021, 233 young people graduated from school in Gali, and only 7 of them entered Sukhumi University, and the rest left Abkhazia.¹⁰⁶ According to him, the problem is the lack of Abkhazian passports, which is why the Galians leave Abkhazia. Pilia says that he will try to change this practice.

In addition, another problem is the recognition of diplomas confirming higher education issued in the Georgia-controlled territory by the de-facto administration of Abkhazia. These documents are not recognized in Abkhazia, which prevents graduates from being employed in Gali, or in other regions of Abkhazia.¹⁰⁷

⁹⁹ Information provided by the Ministry of Education and Science of Georgia, September 8, 2022.

¹⁰⁰ Interviews with contact persons. Gali district. May-June, 2022.

¹⁰¹ Information provided by the Ministry of Education and Science of Georgia, September 8, 2022.

¹⁰² Restriction of free movement in Abkhazia and South Ossetia, DRI, 2020. p. 17

¹⁰³ Information provided by the Ministry of Education and Science of Georgia, September 8, 2022.

¹⁰⁴ <https://mes.gov.ge/content.php?id=4791&lang=geo>

¹⁰⁵ Restriction of free movement in Abkhazia and South Ossetia, DRI, 2020. p. 17

¹⁰⁶ I would like Gali children to stay in Abkhazia, Konstantine Filia, Netgazeti, January 17, 2022. <https://netgazeti.ge/news/586790/>

¹⁰⁷ Report of the Public Defender, 2021. p. 336.

Since 2021, a unified rule for the enrolment in professional educational programs has been implemented, which also takes into account the needs of students who have moved from the occupied territories. In particular, in order to ensure the availability of professional education, the regulation provides for the enrolment in higher professional educational programs without examination of those persons who have completed the secondary level of general education in a general educational institution in the occupied territory or in the year before enrolment in the program and whose complete general education has been recognized by the Ministry.¹⁰⁸

During the research, a number of respondents noted that only the funding of the university fees does not ensure the smooth continuation of the student's studies at the Georgian university. Due to the language barrier, studying in the Georgian language at university is an obstacle for many Galians and is expected to become even more problematic in years to come. In addition, students need additional resources for other expenses related to studying in the Georgia-controlled territory, including housing. Many students who move to Tbilisi and other cities to study are socially vulnerable, but they do not have this status. Georgian agencies cannot check this physically because they cannot check this situation in Gali. Therefore, it is very difficult for them to have access to housing and to cover other expenses during their studies.¹⁰⁹ This issue was especially problematic during the pandemic, as students in Tbilisi and other cities were unable to return home due to restrictions on freedom of movement and did not have the resources to rent accommodation - many of them lost their temporary jobs during the pandemic.¹¹⁰

7. Political participation and representation

Infrastructure

The political and civil infrastructure of the city of Gali looks like this. The city administration building, culture house, 2 schools, music school and kindergartens are located here; It is also home to the District Department of Education, which oversees education throughout the district; Police, prosecutor's office, court, hospital, laboratory and outpatient clinic. They also want to open a professional college in Gali. The existing college is functioning with the funding of non-governmental organizations and incoming fees.

As for the villages of Gali district, not every village has an administration building, although there is a separate cabinet for this purpose in the school building. There is a school and an outpatient clinic in every village of Gali district. There are no other state buildings in the villages. Kindergartens, music school or village administration building are mostly attached to the school building. Saberio is the only village with a kindergarden, a school and a music school.

Political participation

¹⁰⁸ Information provided by the Ministry of Education and Science of Georgia, September 8, 2022.

¹⁰⁹ Interview with a Galian human rights defender, June 2022.

¹¹⁰ <https://socialjustice.org.ge/ka/products/emc-studentebistvis-spetsialur-sotsialur-mkhardacheras-moitkhovs>

The political-legal system in the unrecognized republic of Abkhazia is regulated by the constitution adopted by the Supreme Council of Abkhazia in 1994, where it is determined that Abkhazia is a presidential republic. In Abkhazia, there is a de facto legislative body - the People's Assembly, that is, the Parliament consisting of 35 deputies, which is elected once in 5 years. According to the "Constitution" of Abkhazia, the de-facto Republic of Abkhazia is divided into 7 districts: Gagra, Gudauta, Sukhumi, Gulrifshi, Ochamchire, Tkvarcheli and Gali; and 117 municipalities. The executive body of Abkhazia consists of the President, the Prime Minister and 11 ministers who are accountable to the "parliament", although according to the law the President has wide powers in domestic and foreign policy.¹¹¹ Beyond the de facto government, there is a de jure government of the Autonomous Republic of Abkhazia and the Supreme Council of the Autonomous Republic of Abkhazia, which de jure exercise their functions from Tbilisi. The government cabinet includes a total of 5 ministries (the Ministry of Culture and Education, where the Gali Educational Resource Center also functions separately; the Ministry of Health and Social Protection; the Ministry of Finance and Economy; the Ministry of Internally Displaced Persons and the Ministry of Justice and Civil Integration). Self-governing units are not found in de jure government bodies. Accordingly, the Gali district is managed by the de-facto administration on the ground, at the de jure level there is only an educational resource center for this district.

In Gali district, the administrative staff unit is 172 people, of which more than 70% of employees are from other districts and only 30% are local. In other regions of Abkhazia, 90% of administration employees are locals.¹¹²

The political representation of the Galians and their involvement in local governance is very low,¹¹³ and the Abkhaz government's attitude towards them is discriminatory. There was one Georgian from Gali in the de-facto parliament of Abkhazia's previous convocation, although there is not a single Georgian in the current parliament, there is one Gali deputy, although they are Abkhazian.¹¹⁴

Galians themselves do not hold important positions in Gali region. For example, the mayor of the city, the head of the administration, the head of the culture house are from another district and are ethnically Abkhazian. There are rarely such workplaces where Gali district representatives are employed. These leading positions are occupied by employees who have been working in the relevant positions for years, are well versed in their work, and in case of their replacement, it will take a long time to master this work. For example, such a person is the director of "Chernomorenergo" (energy company) of Gali, who has been working in the energy system for years, and they do not have a professional to replace him. Such cases are exceptions. Generally, Galians occupy non-leading, ordinary employee positions in official agencies. In the villages of Gali region, the governors are mainly Abkhazians, there are only two Georgian governors in the villages of Nabakevi and Sida.¹¹⁵ As for the local council of Gali, everyone here is ethnically Abkhazian.

¹¹¹ Infographic: The De Facto Political System in Abkhazia, Caucasian House, available at:<http://regional-dialogue.com/abk-pol-syst/>

¹¹² Interview in Gali, June 2022.

¹¹³ Human Rights Watch, Living in limbo, 2011. 23.

¹¹⁴ Interview with Galian human rights defenders, June 2022.

¹¹⁵ Interview with Galian human rights defenders, 23 June 2022, Belgrade.

The official language in the Gali district administration is Russian and Abkhazian, which puts the ethnic Georgian population living there in a discriminated position during official communication with the administration.¹¹⁶ Respondents noted that the language barrier prevents Gali Georgians from communicating with the administration and also hinders their access to state services.¹¹⁷

The political engagement of the Galians is primarily hindered by their legal status in the Abkhazian system. Residents of Gali cannot hold an Abkhaz so-called citizen passport, which is why they cannot stand for election or vote for their preferred candidate. *"To tell you the truth, there is discrimination, real discrimination, we don't have legal rights. E.g.: Self-government exists... However, only one person is local, and the rest are from different districts. Because the locals do not have a document (passport) to run for office,"* said one of the Gales during the interview.

As mentioned above, in 2013, residents of Gali district (more than 20,000) were deprived of Abkhazian citizenship, which resulted in their exclusion from the electoral lists in the 2014 Abkhazian presidential elections. In the parliamentary elections held on March 12, 2017, only 603 people from Gali were on the electoral list.¹¹⁸ The de-facto administration of Abkhazia failed to hold local council elections here, and they had to make an unprecedented decision, they simply extended the term of office of the council elected in 2011.¹¹⁹

Another reason for low political participation is the lack of interest among the older generation to express their opinion or protest against the existing reality. People who experienced the horrors of war, for them expressing protest is very difficult and equals to self-sacrifice, future generations also grew up with this mindset of fear and silence.

Hopelessness towards change is another reason for low political involvement *"Someone will come and change and do everything instead of us. And we know that no one will change our problems"*, says one of the respondents.

In addition, all this is compounded by a harsh political and social climate, high rates of alcoholism and drug addiction, unemployment, and many practices of ethnic oppression in the Gali district, which ultimately leads to nihilism in the district as a whole.

Since the 90s, the practice of discrimination and oppression has become an integral part of every working day for Georgians working in Gali and the region. These oppressive practices (physical abuse, shooting, beatings, in the worst cases, killing by torture) are disappearing more and more as time goes on. The barriers that were built after the 90s between the Abkhazians and Carvelians living in Abkhazia are gradually disappearing. However, discriminatory approaches on ethnic grounds are observed in all areas: in political involvement, in degrading conditions during document collection, in access to education, etc.

A similar situation can be observed in the villages of the district: discrimination on the spot, complicated passport collection process, bribery and nepotism. Unlike Galians, people living in villages

¹¹⁶ Human Rights Watch, *Living in limbo*, 2011. 24.

¹¹⁷ Interview with Galian human rights defenders, 23 June 2022, Belgrade.

¹¹⁸ The issue of documents required for movement in the Gali region, DRI, 2021, p. 4.

¹¹⁹ Sukhumi has started issuing residence permits to ethnic Georgians, *civil.ge*, April 25, 2017. <https://old.civil.ge/geo/article.php?id=31225&search>

need more effort to take care of bureaucratic issues, because there is no administrative building in the village (although there is a separate office in the school building) and other necessary resources. In Gali, Abkhaz politicians almost never visit. Despite the fact that Aslan Bzhania promised to take into account the rights and interests of the people living here after becoming "president",¹²⁰ the discriminatory practices here have not yet changed.

8. Economic situation and employment

The economic activities of the locals are mainly related to Zugdidi and the rest of Georgia. It is critically important for the Galian to travel to Zugdidi to receive various services and pensions, allowances for the displaced and socially vulnerable, etc. Crossing to the Georgia-controlled territory is also important for them for trade relations, to receive health services.

The main source of income for the population of Gali district is agriculture, they have corn fields, nut orchards, grow citrus fruits, and also follow animal husbandry. They sell agricultural products (in small quantities, as much as the local "border guards" allow them to bring in exchange for a corresponding bribe) mainly in the Georgia-controlled territory, however, due to restrictions on freedom of movement, they also take them to the western part of Abkhazia, or to the Psou market. In summer, the main source of income is nuts.

In addition, the source of income is temporary seasonal activity, during the tourist season they work in the field of service in different regions of Abkhazia (Gagra, Gudauta) and during the non-tourist season on constructions.¹²¹ There are also joint business activities with Abkhazians. The Gali market is quite large and trade here is another source of income for the Galian.¹²² For several years, due to the spread of various insects and fungal diseases, the quality and quantity of the harvest has decreased dramatically. There is no state program, the population is alone in the fight against problems and they have to buy expensive pest control with their own funds. Also, due to the abundance of uninhabited and unexploited areas in the district, the cultivation of settlements and plantations does not give results, as pests easily spread.

According to the respondents, many local people lost their jobs after the war, which have not been restored to this day, because either the jobs have disappeared, or they cannot return to their old jobs due to the lack of necessary documents. In addition, after the collapse of the Soviet Union, the old economic structure, jobs and related documentation were lost. Therefore, private activities and agriculture are their main source of income.

Closing the crossing points and restriction of freedom of movement have a heavy impact on the economic activity and income of the Galian. Crossing points were usually the busiest places during their operation, as locals were involved in trade relations, the shops were open, people worked as taxi

¹²⁰ Aslan Bzhania to the people of Gali: Your district will not be neglected, Radio Atinati, July 25, 2020. Available at: <https://www.radioatinati.ge/akhali-ambebi/article/73225-aslan-bzhania-galis-mosakhleobas-thqveni-raioni-uyuradghebod-ar-darcheba.html>

¹²¹ Interview with a Galian human rights defender, June 2022.

¹²² Interview with a Galian human rights defender, June 2022.

drivers and helped transport commuters passing through. Fast food establishments, nut and scrap drop-off points were opened near the crossing points. This activity was an important source of income for people living near the dividing line and not only.¹²³ Closing of Khurcha-Nabakevi and Orsantia-Otobaya crossings affected the population of 11 villages living in the lower zone of Gali, about 3400 people, who were connected to the Georgia-controlled territory through these crossing points. The travel time and costs have increased for them, as they have to move through the Enguri Bridge checkpoint. Farmers, who were transporting a large amount of nuts and other agricultural products to the Georgia-controlled territory for trade, faced significant problems with this decision. Due to the difficulty and high cost of commuting, they are able to cross only once or twice a month, which has reduced their income as well.

9. Property ownership

Georgians do not have the right to exercise property rights in Gali, which is conditioned by the local "legislation" only by the status of Abkhazian citizen. There is a house book where the names of people living in a particular house are listed. An ethnic Georgian does not have the right to sell real estate, because he/she is not a citizen of Abkhazia. Only a citizen has the right to buy and sell property. In order to sell the property, the people of Gali district also resort to this practice: they can gift the property to a reliable person with citizenship, who will then sell the property and give the appropriate amount to its real owner. However, this way is also risky and not legal. Galians can only transfer property by gift or inheritance, which is notarized, and requires a lot of time and financial resources.

"Personally, I am in a similar situation now. And the fact that my father has citizenship helped me and that made it easier. I made my father the legal property owner of my house. If it wasn't for my father, I wouldn't be able to buy a house, I would think twice about whether buying a house is worth these procedures and expenses. Because we are people of Caucasian mentality, kinship and family ties have a great influence on society. There is also the institution of thieves in law- the negotiation with the man. Here, too, you have to give something in return, and it's a pain. If you pay 100,000 rubles, you can get the official ownership even with residence permit. But when you buy a house for 9000 dollars, paying 100 thousand rubles does not make sense" - excerpt from the interview.

In addition, in the process of so-called borderisation, local residents often lose their property, which ends up beyond the dividing line. Locals recall that there are cases when a person lost a part of the house as a result of the borderisation. In addition, the locals are losing their agricultural lands and pastures.

10. Culture and religion

There is only one Orthodox church in Gali region - Chuburkhinji church named after St. George, where people from all villages and Gali gather to pray and mark the celebrations. The church has become a

¹²³ Special report of the Public Defender of Georgia, Impact of the closure of crossings on the legal situation of the population living at the dividing line of Abkhazia, 2017. pp. 7-9.

place where people can listen to mass in their native language and be free. The pastor of the church is Abkhazian from Oчамchire, he leads services in Georgian, Russian and Abkhazian.

Neither the Georgian nor the Abkhaz sides have taken any steps to protect the cultural identity of the local Georgians.

Cultural and religious life was affected in Abkhazia as a whole. Those churches that were built, tiled and painted in the Georgian style are (re)painted white or have Russian-style domes.

11. Legal status of women in Gali

The legal situation of women in Gali is even more vulnerable and difficult in the conditions of ongoing conflict, as well as in the absence of an appropriate legislative and institutional framework for the protection of women's rights in Abkhazia. Isolation policy, difficult social background, patriarchal society make this situation even more difficult. Since there is no law on domestic violence and relevant institutional mechanisms, women often become victims of violence, and neither law enforcement bodies nor other mechanisms are ready to provide the victim with appropriate psychological and physical support, prevent further violence and promote rehabilitation. The Public Defender indicated this in the special report of 2017.¹²⁴

According to the respondents, there are cases of violence against women, including domestic violence, and women mostly tolerate this violence due to the beliefs characteristic of various traditional and patriarchal societies. The practice of reporting violence is also rare, because neighbors and relatives do not want to cause problems for the abuser. With the involvement of the police, as the respondents mentioned, it is not possible to eliminate the violence. The police, as an institution, in Gali and the district, does not have the appropriate knowledge and experience to eliminate or prevent the problem of violence against women. However, they also recall several cases when the district inspector in the villages him/herself provided information to the human rights defenders that there was a case of domestic violence and he/she him/herself went to the family and warned the abuser.¹²⁵

There is no law on domestic violence in Abkhazia, which would establish the appropriate protection system and procedures for victims of domestic violence and women victims of violence. Therefore, they constantly need legal advice and support throughout the process, including at the court level, in order to be able to protect their rights.¹²⁶

There is only one non-governmental organization in Gali that works in the direction of the protection of women's rights and conducts awareness campaigns about women's rights. According to the respondents, there is low interest on the part of women themselves due to everyday social problems. In the special report of the Public Defender, which deals with the legal status of women and girls in

¹²⁴ Public Defender's Special Report, Women's and Children's Rights in Conflict-Affected Regions, 2017, pp. 5-6.

¹²⁵ Interview with a Galian human rights defender, June 2022

¹²⁶ Interview with a Galian human rights defender, June 2022

the conditions of the pandemic, it is noted that even before the pandemic, the level of awareness of women and girls affected by the conflict, about state services in relation to violence against women and domestic violence was low;¹²⁷ In terms of domestic violence and violence against women, the situation worsened even more during the pandemic, as in other places, in Gali, the pandemic brought the abuser and the victim into one space.¹²⁸ Due to restrictions on movement during the pandemic, women living in Gali district could not use the protection and assistance services in Zugdidi, and in Abkhazia itself there is no victim protection system and no shelters (there are only crisis centers and a hotline of non-governmental organizations).

Another problem is the enforcement of court decisions. Respondents recall that it is very difficult to enforce court decisions on women's and children's rights, because the work of enforcement is very weak in Abkhazia, and this system is even weaker in Gali. They recall cases when the court assigned the child to the mother, but this decision could not be enforced for years because there is no enforcement system.¹²⁹

The situation of women in Gali is complicated by the "law" passed in Abkhazia in 2016, which completely prohibits abortion, even if the pregnancy threatens the health of the mother. The motivation for adopting the law was the fight against demographic problems.¹³⁰ In this regard, the only exception allowed by the law is the death of the fetus during pregnancy. The main reason for the ban was the fight against demographic problems (according to the 2017 report of the Public Defender, about 700 abortions were performed in Abkhazia, 15 of them were for medical reasons, and the rest for social reasons).

It should be noted that the political participation of women in Abkhazia as a whole is very low. Women are almost absent or minimally represented in the bodies of parliament and executive branch, participation is also low at the level of self-government. For example, only 7.5% of the 170 candidates elected in the 2016 de-facto self-government elections were women. The political participation of women in Gali is even more complicated, because in Gali, where many does not possess "Abkhazian citizenship", residents have neither the right to vote, nor to stand for elections, they also do not have the right to be employed in public service, and even more so to occupy high positions. And those who are employed in the public sector work in a school or a kindergarten or a hospital.

12. Security and Relations with Law Enforcement

After 1998, when military operations were carried out in Gali and Gali region, high criminogenic problems arose. The number of robberies, arsons, kidnappings and murders increased every year. In the 2011 report of Human Rights Watch, it is mentioned that the issue of security of ethnic Georgians

¹²⁷ Public Defender of Georgia, Impact of the COVID-19 Pandemic on Women and Girls Affected by Conflict, Special Report, 2021. p. 14.

¹²⁸ *ibid*, p. 24.

¹²⁹ Interview with a Galian human rights defender, June 2022,

¹³⁰ Special Report of the Public Defender of Georgia, Women's and Children's Rights in Conflict-Affected Regions, 2017, 9-10.

in Gali was very acute.¹³¹ The report mentions that the houses of the Galiens in different villages were often deliberately burned down, they avoid leaving their homes at night, there are frequent cases of kidnapping, theft and violence. According to the locals, the villages of the lowlands were especially affected during the violent practices of this period: Sida, Zemo and Kvemo Barghepi, Otobaya, Khumushkuri, Gagida. Most of the houses in these villages were burnt and people were displaced. However, over time, the people who returned to their villages rebuilt their homes and agriculture.

According to the respondents, many families in Gali had their houses built and restored by non-governmental organizations (UNHRC, DRC and etc) and gradually continued to live in rather difficult conditions. After Russian border military bases were established in various villages, the incidents of robbery, theft and murders decreased. According to them, the existence of military bases brought them more security in this respect. In contrast to this, the locals say that after the establishment of the military bases, the control of the village by the Russians tightened and it became difficult to move to the Georgia-controlled territory. The so-called Abkhazia Russian soldiers control everything at the border, therefore they check the so-called documents, and they also accept bribes.¹³² In case of "illegal movement", Russian soldiers detain people and take them to the Gali Police, where there have been many incidents of physical abuse. The Galiens also recall the case when they went to the Enguri River to look for the livestock that wandered off, but they were caught by Russian soldiers and severely beaten.¹³³

Cases of surveillance and spying have become more frequent, which the respondents explain by the fact that due to the difficult social background, some people agree to this work in exchange for a certain payment.

As for relations with the police, they say that the situation has improved in Gali and Gali region. Years ago, seeing "uniforms" caused fear in them, now they perceive the situation as more peaceful. However, the police are still not associated with finding justice in Gali district. It is possible to solve many things here through networks or bribes.¹³⁴ Mainly Abkhazians are employed in Gali police. The locals say that the so-called practice of traffic cops "gaishniks" still exists, although it has weakened recently. The police can stop a person for no reason, which means you have to pay them money. In the case of a crime, one may turn to the police, but one must have acquaintances here so that the law enforcement officers pay attention to this case. Years ago, the local police could insult Galiens for no reason because of their response, or because of their Georgian surname. Now they say that such cases have become rare, the reason for which is the change of generations and approaches, as well as more networks with the local police.

As for the penitentiary system, there is one institution in Abkhazia near Sukhumi - Drandi prison. In this institution, the prison gangs are powerful. In the prison, it is the influential inmates who decide the issues, not so much the prison administration. In this institution, the gangs decide who will have a

¹³¹ Human Rights Watch, *Living in limbo*, 2011. 25-26.

¹³² Military bases of the Russian Federation in Abkhazia and Tskhinvali region/South Ossetia and their impact on human rights, DRI, 2020, p. 20

¹³³ Military bases of the Russian Federation in Abkhazia and Tskhinvali region/South Ossetia and their impact on human rights, DRI, 2020, p. 24

¹³⁴ Anonymous interviews with residents of Gali villages, May-June, 2022.

privileged cell, while others serve their sentences in unhygienic and harsh conditions, suicides are also common in such cases.¹³⁵

There is no penitentiary facility in Gali, there is only a police building and a temporary detention center, where cases of violence and abuse of authority are identified.¹³⁶ Information about the abuse of authority was leaked to the media several times. Mainly, people here are arrested for drug use and sale, and there have been cases of excessive force in such cases.¹³⁷ During the interviews, the respondents mentioned that the sooner the detainee and his family pay the money during detention, the sooner he will be released, otherwise he may become a victim of inhumane treatment. Therefore, the protection of rights in the law enforcement system depends on corruption schemes and nepotism.¹³⁸

The interviewees also noted that the representatives of the Georgian law-enforcement system, near the dividing lines, in the Georgia-controlled territory, rudely and humiliatingly treat the people who come from Gali, and this kind of treatment has especially intensified recently.¹³⁹ This problem was also mentioned by the residents of the villages near the dividing line and the non-governmental organizations working in Zugdidi during the focus group discussions. According to them, on the Georgian side of the so-called border, the police check people and luggage very critically, which is often humiliating and degrading.

13. Civil society and international engagement

Civic engagement in public life here disappeared due to wartime and post-war repressions. According to the locals, turning a blind eye to problems and working on them at home has become a part of daily life for the people of Gali and the entire district. In addition, the Abkhazian opposition strongly opposes the involvement of Galians in public life, due to their anti-Georgian character.

In Gali, as well as in other regions of Abkhazia, non-governmental organizations do not have a problem with registration, although control has been strengthened in the light of recent events. Since November 2021, the activities of non-governmental organizations in Abkhazia have been threatened, which aims to limit and fully control the activities of the civil sector and international organizations.¹⁴⁰ The initiative of the law on "foreign agent" in order to harmonize it with Russian legislation was put forward in Abkhazia in November 2020, and since November 2021, the de-facto Minister of Foreign Affairs of Abkhazia, Inal Ardzinba, has made this issue relevant. Ardzinba's request for international and local organizations is that their activities do not go beyond the humanitarian sphere, do not touch political issues, and especially do not include directions for improving Georgian-Abkhazian relations

¹³⁵ Current situation in terms of human rights protection in Abkhazia and Tskhinvali region/South Ossetia, DRI, 2020. p. 10.

¹³⁶ Interview with a Galian human rights defender, June 2022

¹³⁷ Interview with a Galian human rights defender, June 2022.

¹³⁸ Anonymous interviews with residents of Gali villages, May-June, 2022.

¹³⁹ Interview with researchers in Gali district, August 2022.

¹⁴⁰ Occupied Abkhazia: Attack on the Civil Sector and International Organizations, the Georgian Foundation for Strategic and International Studies, 28 September 2022. Available at: <https://gfsis.org.ge/ge/blog/view/1498>

and restoring trust.¹⁴¹ This initiative was followed by a strong reaction in the Abkhazian society. The Public Defender of Abkhazia stated that this law will increase the isolation of Abkhazia.¹⁴²

According to the representative of the local non-governmental organization, the law obliges them to submit a report on their activities to the de facto House of Justice of Abkhazia once a year, and they also submit a financial report once a year. However, even beyond the law, at the practical level, they are obliged to inform at least the village administration, as well as the Gali administration, of the information about the current projects.¹⁴³ In addition, the de-facto security service can come to check at any time, request contracts with donors, projects documents, contracts with employees, personal information of employees. The Tax Service also conducts periodic and annual inspections.

14. Access to Information

90% of the population in Gali and Gali region watch Georgian channels: Rustavi2, Imedi, Mtavari, Pirveli Channel, Formula, etc., and of course Russian channels are also available, such as First Channel, Russia, NTV, STS, Pyatnitsa, etc. . Abkhazian channels such as "Abkhazkae Television" and "Gal TV" are rarely watched by people because they do not like the quality of these channels, while "A. T." mainly broadcasts in Abkhazian, and Gali residents do not know the Abkhazian language.¹⁴⁴

Since the internet became available, people have access to more information. However, due to the fact that the majority of the population of the town and district are aged 50+, television remains the most frequently used platform for receiving information. Therefore, the influence of the mainstream media on the locals is quite large.

According to the majority of the respondents, they do not like the media narrative regarding them. The main focus of the mainstream media is always on the occupation, with frequent talks regarding the Russian role, and the Abkhazian or Georgian context is neglected, as well as the actual existence of the people living here.

According to the Galian, there is no critical media in Abkhazia. Expressing a critical opinion is dangerous here, because a person can become a victim of political persecution.

15. Inter-community communication and relationship

For a long time, Gali and Gali region were isolated from the rest of Abkhazia. Relations between Abkhazians and Georgians were broken and trade and kinship ties of Galian and villagers existed more on the Georgian side. However, over time, these relations and connections were restored, people started moving, trade was renewed in the west of Abkhazia, and the Galian also started looking for different jobs in the rest of Abkhazia. According to the respondents, the Abkhazians from different

¹⁴¹ A unified but all-Russian space for Abkhazia, RFE/RL, December 1, 2020. Available at: <https://www.radiotavisupleba.ge/a/30978724.html>

¹⁴² The law on "foreign agents" will increase the isolation of Abkhazia - Shakril, Netgazeti, June 8, 2022. Available at: <https://netgazeti.ge/news/614774/>

¹⁴³ Interview with a Galian human rights defender, June 2022.

¹⁴⁴ Interviews with residents of Gali, May-June, 2022

regions who have been working in Gali for years are in good relations with the locals, and it is through this familiarity and personal connections that the Gali people solve many bureaucratic cases.

On the other hand, the population of Gali often helps the Abkhazians to come to the Georgia-controlled territory for trade or medical services and other related matters. Despite these contacts, at the institutional level, the issue of integration of residents of Gali and Gali district in the Abkhazian society is still acute. Most Abkhazians still do not trust the Georgians living in this area, and the trust is even less vice versa, because the Galians do not feel like full-fledged members of the Abkhazian society.

According to the Galians, there is a narrative in the rest of Georgia that those who returned to Abkhazia are happy because they managed to return to their homes. The truth is that the people back in Gali live under constant fear and terror. The political climate is constantly changing, both in the Georgia-controlled and non-controlled territories, which directly affects the fate of the people living there.

In addition to the fact that these people are in moral and economic difficulties, they have to obtain documents in problematic, dignity affecting conditions, which becomes the basis for the realization of their fundamental rights; property rights; the so-called border crossing. According to one of the locals, where everything is built on corruption and nepotism, human rights and the rule of law cannot be protected.

After Russia's full-scale military invasion in Ukraine, the situation in Abkhazia also worsened. Control over Georgians has been increased so that they do not support Ukraine and do not express any claims regarding the occupation and ethnic harassment. Spying and eavesdropping have become more frequent, and distrust towards the Georgian side is deepening, and our respondents had the feeling that the Georgian government is not doing anything to eliminate this.

Akhalgori

1. General description of Akhalgori district

Akhalgori district is located on 1011 square meters, 66 km from Tbilisi, and 110 km from Tskhinvali, on the banks of the Ksani River. After the war, the de-facto administration of the district changed its name to "Leningor".

According to the 2002 general census, the population of Akhagori was 5254 people.¹⁴⁵ And according to the data of 2009, this number decreased to 3006 people.¹⁴⁶ In 2015, came down to 2300, which is about 4% of the population of Tskhinvali region.¹⁴⁷

In Akhagori region there are, 1 township, 83 villages and 7 village councils of Boli community, Gdu community; Korinta Community; Largvisi Community; Salbier community; Karchokh community; Tskhradzma Community; Such a territorial division was in Akhagori district in 2002, and it remained so even after the war. According to the data of 2002, the majority of ethnic Georgians lived in Akhagori - 85.1%, 14.3% were ethnic Ossetians, 0.2% Russians, 0.2% Armenians and 0.1% Abkhazians.¹⁴⁸

For the purposes of the research, the local researcher studied Akhagori township and 14 villages of the district - Balaani, Largvisi, Korinta, Ikoti, Akhmaji, Boli Council, which includes the following villages: Zemo Boli, Kvemo Boli, Morbedaani and Ereda; Kanchaveti, Bazuani, Mosabruni, Zakori, Tsingara.

Karchokhi Community Council - Balaani village

There are 73 people registered in Balaani (121 people according to 2002 data). 7 of them are minors. There is 1 general educational institution - a 9-year school, where 4 students study. There is also a village outpatient clinic in Balaani, where they are responsible for registering chronically ill patients and making requests for medication for them at the Akhagori Polyclinic. They have 11 diabetic patients. The outpatient clinic also provides emergency medical care until the arrival of an ambulance from Akhagori township. The chairman of the village council is a woman.

Largvisi Community Council - Largvisi village

The school is no longer functioning here. There is a rural outpatient clinic in the village. In Largvisi, there is a historical monastic complex of the 15th century, which is still active today, and services are held in the Georgian language. There is a monastery near the church, where one monk lives and performs religious rituals.

Korinta Community Council - Korinta village

170 people are registered in village Korinta village (205 people according to 2002 data). There is a general education school in the village, where 9 years of education is taught. According to the latest data, 2 students are studying here. About 20 people are employed in the school. Korinta School is subordinated to Ikoti High School, as this school does not have a principal. Territorially, these villages

¹⁴⁵ Main results of the 2002 first national general census of the population of Georgia, National Department of Statistics of Georgia. Available: <https://www.geostat.ge/media/44560/II-tomi-.pdf> გვ 117

¹⁴⁶ Decree of the Government of Georgia No. 161, March 3, 2009: On reimbursement of the cost of electricity consumed by residents (subscribers) in the villages of Akhagori Municipality in January 2009

¹⁴⁷ Giorgi Kanashvili, Akhagori Deadlock, DRI, 2021. p. 8.

¹⁴⁸ [2002 Census results.](#) p. 117

are close to each other (about 4 km apart). In the center of the village there is a church, which is looked after by the locals.

Mosabrunshi

157 people are registered in Mosabruni. The school is no longer functioning here. There are 23 minors in the village who study in schools and kindergartens of Akhagori district. Mosabruni is 3 km away from the town of Akhagori on foot, and therefore there was no longer a need for a school here. There was a checkpoint in this village, which the Tskhinvali administration renamed to - "Razdrakhan". Until 2019, this checkpoint was the main connecting road for the population of Akhagori district to the Georgia-controlled, which was closed by the de facto administration on September 4, 2019.

Before the war of August 2008, half of the population was ethnic Ossetians, currently they constitute the largest part of the population (according to the data of 2002, about 280 people lived in Mosabruni, 51% Georgian and 48% ethnic Ossetians). Therefore, Ossetian is used more as a communication language in the village, and as the respondent noted during the research, ethnic Georgians living in Mosabruni also speak Ossetian.

The village is included in the Salbieri Council, however, due to the fact that there are no residents left in the village of Salbieri, the village council is located in Mosabruni. In 2012, with the decision of the de facto government the name of the village was changed to Razdakhan (directly translated from Ossetian as the "turn"). It should be noted that the specialists of the field did not work on the name, the decision was made by the head of the union of township and village councils. Due to the fact that the Russian checkpoint is located in the village (about half a kilometer from the settlement), Mosabruni houses the most "illegal" passages, therefore the cases of arrests of so-called border violators is frequent.

Boli Council

Boli Council unites villages - Ikoti, Akhmaji, Garubani, Akhaldaba, Kanchaveti, Bazuani, Zemo and Kvemo Boli, Morbedaani. According to the latest data, 528 people are registered here (according to the data of 2002, more than 2500 people lived in Boli council). The territory is quite large and the villages are separated from each other, but still considered as one council.

The village of Ikoti is located on the left bank of the Ksni River, 10 kilometers from the dividing line, and 3 kilometers from the town. According to the data of 2002, 1089 people lived in Ikoti, now this number has decreased to 167. Ethnic Georgians mostly live in the village. Ikoti belongs to Boli village council, this division was exercised by the Georgian government and the de facto government is also guided by this approach.

In the village of Ikoti, after the August 2008 war, the kindergarten no longer functions: *"Before, we had such a good kindergarten, the best building, teachers." After the war, there were a few children left, but the Ossetians did not want the kindergarten anymore and closed it,*" says the resident of Ikoti village.

Akhmaji

The village of Akhmaji is located on the right bank of the Ksani River, 9 kilometers away from Akhgori Township. It borders the village of Odze, in which the Georgian police station is located and which is the last settlement controlled by the central government of Georgia.

About 60 people remain in the village, whose main activity is agriculture, growing fruit crops, mainly apples, peaches, pears. Also, vegetables and various grains.

In Akhmaji, the school, which was an incomplete secondary school, has been closed for 2 years, although there are currently no school-age children left in the village. Unlike the rest of the Akhgori region, the residents of Akhmaji are obliged to constantly carry the so-called Ossetian passports, or passes (on which personal information and a photo are printed), because the Russian military often conducts raids. Because the village borders the controlled territory of Georgia, there are frequent cases of "illegal border crossing", which is strictly controlled by the Russian military.

Thanks to the river, there is no water problem in the village, there is both drinking and irrigation water. Internal rural roads are not paved. As for the road connecting to the township, it was built in 2017 as part of the Russian investment program. The road existed before, but it was almost impossible to drive on it. Residents of Akhmaji respondents noted in the interview that the process of building the road connecting Akhgori-Akhmadji was personally led by Rashid Nurgaliev (Deputy Secretary of the Russian Security Council). The road is not paved, according to the locals, the construction of the road was important for the Russian military base, which is located in the village of Akhmaji. The new road is mainly intended for the movement of military equipment. In heavy snowfall or heavy rains, it is impossible to move on it, and the village is effectively cut off from the rest of the district.

2. Basic infrastructural issues

Water infrastructure

Almost all villages of Akhgori region have water resources, although it is not available to all families. Some families channeled home spring water with their own resources, and some villages closer to the district center brought water to their homes with the support of village councils and district administration. In those villages where water is not piped (for example, in the villages of Ikoti, Largvisi, Karchokhi, Akhdaba), the local government promises to solve this problem, although this mainly means the arrangement of common water points in the village.

There is a sewage problem in the whole district.

Public transport infrastructure

Public transport is not available in any village except Akhmaji village. In Akhmaj, the public transport is separated, where the passengers pay the amount, but the fuel amount is given by the district administration.

In the villages, everyone commutes with their own transport or by taxi, which is quite expensive, especially for villages far from the center (sometimes 2000 rubles (80 GEL) are required for one trip).

Public transport runs from Akhalgori to Tskhinvali, twice a week, only at certain times, which is a concern for locals because they cannot manage to run errands. The transport has 9 seats and as Akhalgori residents say, it is never enough. The people of Akhalgori need to add more buses, however, as the transport company (this company operates partly at state expense) says this will not be profitable. As the driver explains, the official contribution to the local budget for transportation is 1,200 rubles per month (55 GEL), which the driver pays himself, the rest of the costs are covered by the transport company. The trip costs 50 rubles (about 2 GEL). Public transport is free for students.

Gas Infrastructure

There is no gas anywhere in the Akhalgori region, not even in the villages and settlements of Tskhinvali. Only the town of Tskhinvali has gas. In 2016, a decision was made to supply gas to 200 villages, but nothing has been done so far.

Electricity Infrastructure

Electricity is supplied to all villages without interruption. Electricity is supplied to Akhmaji village from Georgia-controlled territory, and to other villages - from Tskhinvali.

Infrastructure needed for medical care

There are two ambulance brigades in Akhalgori, one is permanent and one is called from Akhalgori district in case of emergency. In previous years, the ambulance was called from Tskhinvali, but now it is also called from Akhalgori, when a patient needs to be transferred to the Tskhinvali hospital, or to the Georgia-controlled territory.

There are 6 medical centers in the Georgian villages of Akhalgori and two in the Ossetian part. There is no doctor in any of them, only the nurses. However, nurses also do not have the necessary training for first aid, and in some cases they do not even have a medical education. Three medical centers (Tsinagara (Ossian village), Largvisi and Akhalgori township) are financed by the central government of Georgia, the rest from the administration of Tskhinvali.

There is one hospital in Akhalgori, where neither the staff is ready to provide quality healthcare services nor the local infrastructure.

In the entire region, 179.5 medical staffs are allocated in Akhalgori hospital and rural medical centers and 150 people are working. From January 2023, it is also planned to reduce medical staff.

In order to solve infrastructural problems, the people of Akhalgori mainly turn to the district administration, and do not communicate with the Georgia-controlled authorities.

3. Budget and corruption in Akhalgori

During the research, it was revealed that Akhalgori district in the Tskhinvali region has the most funding from the de-facto administration of Tskhinvali. According to the former governor of Akhalgori, it is possible that the city of Tskhinvali has more funding in absolute terms, but Akhalgori still has the largest percentage (taking into account the population). 207 million rubles, which is about 9.5 million GEL, is allocated to Akhalgori every year. This does not include pension, postal and healthcare budgets. However, as locals say, it does not show in Akhalgori that so much resources are allocated to this area. For example, recently, information was spread about the Head of the Communal Service allegedly embezzled 25 million rubles. The investigation was started, but merely formally, he was fired, but there was no legal repercussions. The budget of the Akhalgori communal service is 46 million rubles (about 2 million GEL), of which 21 million rubles (about 936,000 GEL) is used for the salary fund, through which employee family members and relatives are paid.

Also, in December 2021, scandalous information was revealed about budget embezzlement and corruption schemes in Akhalgori Hospital, which has also not been investigated.¹⁴⁹ The de-facto prosecutor's office says that an investigation is underway, but the case has not progressed for a long time and everyone is still working in their position.¹⁵⁰ The investigation was started by the de facto Minister of Health Soslan Naniev, and before that, Anatoly Bibilov was interested in the corruption schemes in this hospital, however, after "becoming president", he awarded the head of the hospital, Angelina Baratova, as a "meritorious worker of health care" status and stopped investigating the situation in the hospital. According to the scheme, all the staff units in the hospital have been filled, which includes the non-existent health centers of Tetrimeți village, a small inpatient unit with nine wards, a maternity ward, a polyclinic and an emergency station. Former employees are officially registered here, but other people are actually getting paid. According to the documents, 15 doctors and nurses work here, but in reality there are four of them, of which only two are medical workers. This obviously has a heavy impact on] access to medical services in Akhalgori, and a number of fatal cases have been reported in Akhalgori due to improper medical care.¹⁵¹

The education department in Akhalgori has the largest budget - 91 million rubles, although this does not affect the quality of the education system. The infrastructural condition of the schools is normal, every year the schools are given cosmetic repairs and other works are carried out if there is a need for it in the school.

4. Problem with documentation in Akhalgori

¹⁴⁹ Corruption scheme in Akhalgori hospital What is being investigated in Tskhinvali, Netgazeti, December 16, 2021, available at:<https://netgazeti.ge/news/582381/>

¹⁵⁰ Interview with Akhalgori researcher, September 20-23, 2022.

¹⁵¹ Corruption scheme in Akhalgori hospital What is being investigated in Tskhinvali, Netgazeti, December 16, 2021, available at:<https://netgazeti.ge/news/582381/>

A large part of the population of Akhagori has received the South Ossetian "citizen's passport", which enables them to access various social services provided by the de facto administration of South Ossetia. There was a period when it was also possible to travel with a "citizen's passport", and in this case the "passport" was an alternative to a pass. However, as explained below, this approach has also changed, and along with the "passport", residents of Akhagori still need to have a travel pass to enter the Georgia-controlled. It should be noted that, unlike the de-facto administration of Abkhazia, Tskhinvali did not take the approach of not giving passports to the residents of Akhagori, which is most likely because of the small population of Akhagori compared to the population of Gali.

"Do you remember when they didn't let us in Tbilisi anymore, a story broke out, what income the elderly have besides the pension, they couldn't even get the Georgian pension anymore and they were left with nothing. After this news, they made it easier to get Ossetian passports, you could get it in 1 month tops, everyone who wanted got one, and they also started distributing a pension, many people took passports in our village and also got pensions" - says the resident of Ikoti.

In case of receiving South Ossetian citizenship, the people of Akhagori must renounce Georgian citizenship. This means submitting a notarized document where a person renounces Georgian citizenship. This rule has been changed in the last 3 years and now this document is issued by the de-facto Ministry of Foreign Affairs.¹⁵² In 2020, according to the representatives of the de-facto passport service, approximately 80% of the population of the district owns the so-called passport. In 2021, 43 de facto passports were issued.¹⁵³

There are problems with issuing passes, which Akhagori residents need for movement. The pass problem exists after the Georgian authorities lost control over Akhagori. The issue is often used by the de facto administration for political and corruption schemes.

Initially, after the creation of the so-called border, the people of Akhagori could move with South Ossetian passports, the pass or form N9 and an identity card of a Georgian citizen (which was requested by the Georgian side). The pass is the so-called residence certificate, which confirms that a person lives in the territory of South Ossetia. During this period, the form of the pass was often changed in order for the residents of Akhagori to renew the document often. The term of the pass is formally 1 year, however, since its form often changed, residents would have to renew it time and time, which costs about 10,000-15,000 (on average, 450-670 GEL) Rubles. According to the respondents, the de facto security service is issuing passes in a selective, nepotistic and corrupt way.¹⁵⁴

5. Movement in the Georgia-controlled territory

The issue of movement was not a significant problem for Akhagori residents until September 4, 2019. The Mosabruni/Odzei checkpoint, which is about 3-4 km away from Akhagori township, was open

¹⁵² Interview with Akhagori researcher, September 20-23, 2022.

¹⁵³ 2021 Report of the Public Defender, p. 332.

¹⁵⁴ 2021 Report of the Public Defender, p. 332.

daily from 7 am to 9 pm. Movement was possible both on foot and by car. The people of Akhagori had both the "Citizen's Passport" of South Ossetia and a special pass issued for movement. In case of possession of one of these documents, movement was allowed.

"Before, it was good with a passport, and you did not have to renew the passport so often, but then they have to bring all the trouble to us, they established that you can't go out with a passport alone you still need a pass, whether you like it or not (this rule was introduced by the local administration), and this is not the case everywhere. One time I crossed through Sinaguri, it turns out that people go there with their passports. They were surprised there that I was carrying my pass" says the respondent

"Before, we used to cross the bridge without a fuss, then they came up with the idea that we still have to take this long way through Akhagori, it was 2016-17. We used to cross this bridge on foot, but now you need a car to get to Akhagori, then you have to leave this car with someone, I can't leave it on the street, they don't let us drive in Tbilisi either", says the respondent from the village of Akhmaji. The village of Akhmaji is located near the administrative border and is connected to the Georgia-controlled territory by a bridge. Traffic was allowed on this bridge and it was directly connected to the Georgian checkpoint, which was the shortest way for the villagers to cross. However, after its closure, they have to go to Akhagori township and use the Mosabruni exit (which was also closed after 2019).

On the Georgia-controlled territory, law enforcement officers only used to check the Georgian ID.¹⁵⁵ From March 2019, the requirements related to the documents were changed and the residents of Akhagori, who had their passports, were also instructed to obtain a pass for movement purposes. This situation was maintained until September 2019. However, then the checkpoint was completely closed, which is related to the Chorchana-Tsnelisi crisis.

In August 2019, the Georgian authorities opened a police checkpoint in the village of Chorchana (in the Georgia-controlled territory) to ensure the safety of the population, which was followed by ultimatums from the de facto administration of South Ossetia. The South Ossetian side placed two checkpoints in the Chorchana forest about two kilometers away from the Georgian checkpoint.¹⁵⁶ Bibilov's administration decided to isolate the population of Akhagori.

"When the Tsnelisi situation broke out in August, the Russian military went to every village in the house and told us that the road would be closed for good, and if we wanted to leave, we should have hurried and it turned out to be true" The road is closed good. Opening the road once in a while is a mockery of people. I doubt that Gagloev will open the road, if he is going to do something, what is he waiting for, and during the elections he promised to open it", says one of the respondents.

After the closure of Akhagori, the depopulation of this district accelerated. The exact number of people living here today is unknown, although it is known that on the day the road was closed, about 400 people left Akhagori.¹⁵⁷

¹⁵⁵ Interview with Akhagori researcher, September 20-23, 2022.

¹⁵⁶ Akhagori Crisis, Radio Liberty, September 28, 2020. Available at: <https://www.radiotavisupleba.ge/a/30862459.html>

¹⁵⁷ Giorgi Kanashvili, Akhagori Dealock, DRI, 2021. p. 11

After closing the Mosabruni/Odzei crossing, the road was opened on February 6, 2020 for the residents of Akhgori, that too only for the elderly to receive pensions¹⁵⁸ This is the part of the population of Akhgori who have not received the "citizenship" of South Ossetia and receive their pension only from the central government of Georgia (about 175 people),¹⁵⁹ although not all of them could take advantage of the opening of the checkpoint due to lack of passes. After that, the Bibilov administration did not open the checkpoint to everyone anymore, permission to move was given in individual cases, for health purposes, if the Tskhinvali hospital issued a corresponding notification, which was often delayed, because in case of urgent need, the people of Akhgori could not get to the Tskhinvali hospital on time to get permission to enter the Georgia-controlled territory.¹⁶⁰ Special individual passes were issued by the de-facto administration in a selective and discriminatory manner. In 2020, so-called "black lists" also appeared in the Akhgori administration, where people who were forbidden to move were included, including those who had "South Ossetian passports".¹⁶¹

After more than two years of isolation, Akhgori was emptied en masse.¹⁶² Those who "illegally" could not cross the forest massif into the Georgia-controlled territory, joined the Red Cross program "for the purpose of family reunification". With this program, if a person left the territory of Akhgori, he/she would not be able to return. At that time, a passing person/family could take up to 500 kilos of luggage, and what they could not take with them they sold.¹⁶³ According to Radio Liberty, about 300 people were willing to join the "Family Reunification Program".¹⁶⁴ The period of isolation coincided with the covid pandemic, which put the people of Akhgori in an even more dangerous situation, as they did not have access to basic medication and health services.¹⁶⁵

According to the locals, the Georgian government is not doing anything to stop their isolation. *"It really seems that these Ossetians and Russians are torturing us for the sake of the Tselisi checkpoint. Until the Georgians dismantle it, we will be in isolation. Can they think of something? What is this checkpoint for anyway? Tselisi is an empty forest and mountain, should our area also become like that? I cannot*

¹⁵⁸ The road was closed – some of the pensioners did not return to Akhgori, Radio Liberty, February 7, 2020, available at: <https://www.radiotavisupleba.ge/a/გზა-ჩაკეტეს---პენსიონერთა-ნაწილი-ახალგორში-აღარ-დაბრუნდა/30422528.html>

¹⁵⁹ Interview with Akhgori researcher, September 20-23, 2022.

¹⁶⁰ EMC urges authorities to take emergency and immediate measures to respond to health crisis in Akhgori, Social Justice Center, December 17, 2020. Available at: <https://socialjustice.org.ge/ka/products/emc-moutsodebs-khelisuflebas-miighos-sagangebo-da-daugovnebeli-zomebi-akhgorshi-shekmnili-jandatsvis-krizisis-sapasukhod>

¹⁶¹ Giorgi Kanashvili, Akhgori Deadlock, DRI, 2021. p. 12

¹⁶² Life-threatening township - citizens flee from Akhgori, Radio Liberty, November 25, 2020. Available at: <https://www.radiotavisupleba.ge/a/30968990.html>

¹⁶³ [ibid.](#)

¹⁶⁴ Dilemma of Akhgori residents: To be or not to be in isolation, Radio Liberty, November 28, 2020. Available. <https://www.radiotavisupleba.ge/a/ახალგორელების-დილემა-ყოფნა-არყოფნა-იზოლაციაში/30973720.html>

¹⁶⁵ A well-known doctor in Akhgori district died of COVID-19. Another Victim of Isolation, RFE/RL, November 15, 2020, Available at: <https://www.radiotavisupleba.ge/a/დაბა-ახალგორში-ცნობილი-ექიმი-covid-19-ით-გარდაიცვალა-იზოლაციის-კიდევ-ერთი-მსხვერპლი/30951119.html>; Locked Akhgori in the face of coronavirus, Social Justice Center, April 13, 2020. Available at: <https://socialjustice.org.ge/ka/products/chaketili-akhgori-koronavirusis-pirispir>; Non-Governmental Organizations Appeal to International Organizations on the Humanitarian Crisis in Akhgori, Social Justice Center, February 3, 2020. Available at: <https://socialjustice.org.ge/ka/products/arasamtavrobo-organizatsiebs-mimartva-saertashoriso-organizatsiebs-akhgorshi-arsebuli-humanitaruli-krizisis-shesakheb>

believe it is that important to have that checkpoint there to justify our suffering” - says the resident of Mosabruni village.

In addition, during Bibilov's administration, "targeted terror" was carried out on the people of Akhagori.¹⁶⁶ Individuals were banned from travel by the security service for different reasons, not only to the Georgia-controlled, but also to Russian Federation. Recently, representatives of culture and education often became victims of such pressure and harassment.

After Alan Gagloev, chairman of the "Nikhas" party, became the de facto president of South Ossetia (on May 8, 2022),¹⁶⁷ the people of Akhagori hoped that the problem of movement to the Georgia-controlled territory would be solved. This was the promise due to which Gagloev won the "elections" in Akhagori with a large margin.

After Gagloev came to "power", the Mosabruni/Odzisi crossing was opened on August 20, 2022, and according to the decision of the local de facto administration, the checkpoint will be opened for the residents of Akhagori for 10 days every month, from the 20th to the 30th of the month.¹⁶⁸ 2022 At the opening of the crossing point in August 2022, not all residents of Akhagori were able to take advantage of this opportunity, because a large part of them do not have the necessary permits for the crossing. According to information provided by the de-facto border security, about 1,200 crossings were recorded at the Odzisi/Mosabruni crossing during this period, although this does not mean 1 crossing of 1 person, but several crossings within 10 days. Most likely, about 200 persons benefited from the freedom of movement during this period.¹⁶⁹ According to Gagloev's promise, he plans to solve the permit problem as well.¹⁷⁰

The check point, which is open for 10 days a month, does not allow the movement of cars and minibuses, therefore the people of Akhagori will not be able to take advantage of the traffic necessary for commercial activities. One person is allowed up to 50 kilograms of hand luggage. However, there is a solution here too, because it is possible for the people of Akhagori to divide the cargo into 50-50 kilograms and thus be able to bring in the cargo, including relatively cheap products from the Georgia-controlled territory.¹⁷¹

According to the State Security Service, in the last 4 years (2018-2021), 320 citizens were arrested in the direction of the region on the charge of illegal crossing of the "border".¹⁷² However, these data

¹⁶⁶ "Targeted terror" - according to human rights defenders, there is an alarming situation in Akhagori, Radio Liberty, May 14, 2021. Available at:<https://www.radiotavisupleba.ge/a/წერტილოვანი-ტერორი-უფლებადამცველთა-ინფორმაციით-ახალგორში-საგანგაშო-მდგომარეობა/31255591.html>

¹⁶⁷ Gagloev - 53.67%, Bibilov - 41.3%, Radio Liberty, May 9, 2022. Available at:<https://www.radiotavisupleba.ge/a/31840638.html>; Who is Gagloev and what will change with his victory in the occupied region? Radio Liberty, May 9, 2022. Available at:<https://www.radiotavisupleba.ge/a/31841412.html>;

¹⁶⁸ Akhagori residents are waiting for the opening of the road, Radio Liberty, August 19, 2022. Available at: <https://www.radiotavisupleba.ge/a/31995909.html>

¹⁶⁹ Interview with Akhagori researcher, September 20-23, 2022

¹⁷⁰ Interview with Akhagori researcher, September 20-23, 2022

¹⁷¹ Akhagori residents are waiting for the opening of the road, Radio Liberty, August 19, 2022. Available at: <https://www.radiotavisupleba.ge/a/31995909.html>

¹⁷² Annual reports of the State Security Service for 2018-2021.

often do not coincide with the data distributed by the de facto administration of South Ossetia, which significantly exceeds the statistics published by the Georgian side. For example, according to the data of the Security Service, 86 cases of illegal detention were recorded in 2019, and according to the data of the de facto security committee of South Ossetia, 87 people were arrested "on charges of crossing the border" in the period of October-November 2019 alone.¹⁷³

Akhalgori does not belong to the so-called border zone, it has been completely outside the control of the central government of Georgia since 2008, and therefore, the local population has not been affected by the severe consequences caused by illegal borderisation. However, the arrests for so-called illegal border crossings are no stranger to the area due to continued isolation. The Security Service of Georgia does not produce data on arrests separately for Akhalgori district, however, as locals say, after the closure of the Mosabruni crossing, cases of "illegal crossing" are frequent.

6. Availability of Services in South Ossetia

Residents of Akhalgori who have "citizenship" of South Ossetia can be awarded old-age pension - 9300 Rubles (about 415 GEL) appointed by the de-facto administration of Tskhinvali. Also, a pension of the same amount can be awarded to a person who has 25 years of continuous service in the field of healthcare or education. According to unconfirmed data, 765 residents of Akhalgori receive old age pension. Pensions for persons with disabilities are also determined.

Parents of minors also receive social assistance. Families with many children receive 10,000 rubles (450 GEL) once a year.

In addition, periodically the de-facto administration of Tskhinvali or the district administration distributes social assistance to the population (2-3 times a year) in the form of products.

Social assistance is also available to orphaned children or children raised by only one parent. They can also be registered in an orphanage and receive social benefits intended for the orphanage.

From the de-facto administration of Tskhinvali, it is also possible to receive funding in the amount of 200,000 Rubles (approximately 9,000 GEL) if a person needs medical help abroad, and there is no corresponding resource in the Tskhinvali hospital. Locals can receive these benefits regardless of their ethnicity.

Also, the de facto administration of Tskhinvali has free health care micro programs, which are also available for the residents of Akhalgori. For example, free medication is allocated for people with diabetes, Parkinson's or other serious diseases, the list of which is approved at the end of the year, and during the next whole year, these people can receive medication for free.

¹⁷³ Restriction of the right to free movement in Abkhazia and Tskhinvali region/South Ossetia, DRI, 2020, p. 40.

"It doesn't matter if you have a doctor's certificate from Tbilisi or from here, these drugs are still given to you for free, the main thing is that you have the Ossetian citizenship here," says the respondent from the village of Akhmaji.

In addition, 20 cubic meters of firewood are allocated for single elderly people and persons with disabilities. They are also helped with minor home repairs.

7. Access to services and state programs in the Georgia-controlled territory and relations with the central government

The programs offered by the central government of Georgia to the citizens of Georgia are available for Akhagori residents. They are also applicable to the State Referral Service Program, however, as mentioned in relation to Gali (Chapter 5) the knowledge of Akhagori residents on this program is low, that was also approved in the interviews with Akhagori residents. This is also evident in the statistical data provided by the Ministry of Healthcare. Apart from this, people with IDP status living in Akhagori, also benefit from state programs intended for IDPs.

The majority of Akhagori population has the status of IDPs, however, during the survey, several respondents noted that the Georgian authorities did not grant the status of IDPs to the Ossetians, who are citizens of Georgia, living there, nor did they give them appropriate benefits (housing).

"When these cottages and certificates were distributed, then the chairman of the Akhagori Municipality Council told me directly in the crowd, what status are you asking for, you are an Ossetian and go let the Ossetians take care of you. People heard all this, I immediately went to the prosecutor's office and filed a complaint, the witnesses also signed, he really said these words to me, but what? They treated my case with indifference. I went through all the legal ways, but I only managed to attract the attention of the Georgian security forces, they called me to Mtskheta for questioning, and they took me to our checkpoint many times and questioned me. On my part, I went through all the legal ways, I approached all this legally, but I still did not find justice", says one of the respondents.

The second respondent also talks about ethnic discrimination: *"We are Ossetians and we didn't leave here, that was the reason. We also went to the Public Defender, the Minister of IDPs, the Prosecutor's Office, to whom we did not turn, I was young then, but my family went everywhere. Many people were oppressed in our village. We wrote collective letters and complaints, but we did not get anything more than ridicule. We used to collect money once a week, we used to go to Tbilisi, sometimes we organized protests, but we were ridiculed. Do you know what they told us? You are not displaced people, you still live there. When I think about it, they are also right, we still live here, but if my neighbour also lives here, and he was given an IDP certificate, what did I do wrong? How am I different. When I used to say this, I would be told: you think about yourself, it is none of your business what somebody else gets" -* says the resident of Mosabruni village.

Locals identify the availability of information on the services provided by the central government of Georgia as an important problem, especially after the checkpoint is closed, they do not know the news, where and what they can request, and what support the state offers them.

According to the resident of Akhmaji village, it would be good if there was a small medical station in the village of Odzisi, which is located near the checkpoint (near the village of Mosabruni, in the Georgia-controlled territory). The inhabitants of Akhalgori township, as well as the inhabitants of the surrounding villages, could walk there and receive minor medical services. The residents of Akhalgori, who are mostly elderly people, find it difficult to come to Tbilisi to receive all services. Therefore, it would be a great benefit for them.

"We are considered IDPs in the eyes of the state, they threw us out of here and we shouldn't be here, what can we ask for on the ground, they will tell us that you are IDPs and what do you want there, but you know what would be good?" If there was one normal hospital here in Odzisi, with different doctors, we could extract a tooth, take an ultrasound, and get examined. The road is barely opened once forever, we stand in line for a whole day" and now we have to take a long way to Tbilisi to get to a doctor. Do you know how it would simplify everything for us? Besides, it won't be done only for us, the village, Odzisi itself is big, the locals would also benefit from it," says one of the respondents.

The second respondent has almost a similar wish: *"I wish there was at least one big store in Odzisi, where all small things and products would be sold." A person in Tskhinvali can't handle all the elementary things, I told you the most elementary thing, that day a moth appeared in my house and it cost me 7 GEL for the drug, and I heard that in Tserovani this drug costs 1,5 GEL. I cannot commute to Tskhinvali for everything, it's expensive and time consuming. If there was something near here in Odzi, we would sneak over Ksan. If there was a big store and a pharmacy. Have you looked at the prices of medicines here? Now, what I am asking does not apply to the state, but maybe they can ask some businessmen, to explain our situation."*

According to the locals, they do not have a relationship with the central government of Georgia and do not address them solve their problems, because they do not expect real results from the government. According to one of the respondents, he doesn't even remember the last time he addressed the Georgian authorities to solve the problem: he recalls: *"Who should I address? Previously, due to my job, I often had to go to the Akhalgori City Council, I knew everyone well, and since I'm an Ossetian, and I stayed here, everyone resented me, what does me being Ossetian have to do with anything. My house is here, I was born here, I grew up here, why do I have to leave.....they gave me two cottages and they were not registering them to me until 2013.....What for shall I turn to them?"*

"They remember us when somebody dies. We are not asking them for anything here, we want to open a road, and, you know, they are too lazy to even talk about this. Our neighbor's daughter works as a journalist on television, and if something happens, we call her and you know what she tells us? The minister heard the story from me and told me they would find out. They will never know and understand, what they don't care" says the respondent from Ikoti.

8. Access to health care

In the conditions of continuous isolation, the access of the population of Akhalgori to quality and timely health services is limited, which has cost the lives of many Akhalgori residents.

Since 2019, under the conditions of restriction of freedom of movement, it has become difficult for the people of Akhgori to move to the Georgia-controlled territory, even when they need urgent medical assistance. If the decision of the doctor of the Akhgori hospital and the letter of the Governor of Akhgori were enough to submit to the so-called border guard before the checkpoint was closed, after the road was closed the people of Akhgori had to go through a much more difficult and long internal bureaucratic process. More precisely, the patient has to go through several stages: first, the group of doctors of the Tskhinvali hospital discusses the patient's condition and gives consent to transfer the patient to Tskhinvali. After that, it is necessary to obtain the consent of Akhgori municipality and doctors to transfer the patient to Tskhinvali; After being transferred to Tskhinvali, the patient's condition is evaluated by the doctors of the Tskhinvali hospital; After the permission of the doctors, the family has the right to apply to the de facto authorities for a "pass" to transfer the patient to the Georgia-controlled territory; And at the last stage, the Red Cross is involved, which transfers the patient to a hospital in the Georgia-controlled area.¹⁷⁴ This process itself is complicated and time-consuming, while the patient may need urgent medical care. In addition, the process of patient transfer is discriminatory and selective, often with corrupt deals and nepotism to enable access. It should be noted that the de-facto administration often opens the way for the Red Cross to transport patients from Tskhinvali, however, the issuance of permits in relation to Akhgori is subject to illegal and discriminatory restrictions. The International Organization of the Red Cross is the only international actor the activities of which are allowed by the de-facto administration of Tskhinvali.

Due to the lack of timely medical assistance, a number of fatal cases were recorded in Akhgori region.¹⁷⁵ Access to health care services became especially critical during the pandemic, however, due to the categorical objections of the de facto administration of Tskhinvali, the population of Tskhinvali, including residents of Akhgori, did not have the opportunity to receive the resources that the central government of Georgia offered in the form of support.¹⁷⁶ In addition, under the conditions of movement restrictions, the people of Akhgori faced a humanitarian crisis. They could not get quality service in Akhgori and Tskhinvali, and they could not go to the controlled territory of Georgia. The situation became especially alarming when Onise Gatenashvili, a surgeon at Akhgori Hospital, died of the Covid-19 virus in 2020. They could not bring him to the controlled territory of Georgia in time and he died on the way.¹⁷⁷

There are practically no doctors left in Akhgori hospital. The hospital no longer has therapists. Two therapists who work in the emergency medical service come to Akhgori only during the duty period. Only three dentists, a pediatrician, a neuropathologist and a traumatologist remain in the hospital.¹⁷⁸ In 2021, it became known that the heads of the Akhgori hospital, polyclinic and ambulance left the district. The chief doctor of the hospital also disappeared. This was when there was another pandemic outbreak in Akhgori, and the locals were practically left without doctors and responsible medical

¹⁷⁴ Report of the Public Defender, 2020. 434.

¹⁷⁵ <https://socialjustice.org.ge/ka/products/emc-moutsodebs-khelisuflebas-miighos-sagangebo-daugovnebeli-zomebi-akhgorshi-shekmnili-jandatsvis-krizisis-sapasukhod>

¹⁷⁶ Report of the Public Defender, 2020. 434.

¹⁷⁷ EMC urges authorities to take emergency and immediate measures to respond to health crisis in Akhgori, Social Justice Center, December 17, 2022. Available at: <https://www.radiotavisupleba.ge/a/30980283.html>

¹⁷⁸ The Red Cross continues to transferring citizens from Akhgori, Radio Liberty, December 2, 2020. Available at: <https://www.radiotavisupleba.ge/a/30980283.html>

personnel.¹⁷⁹ Residents of Akhagori often point out that hospital doctors do not have sufficient qualifications and sometimes look for the causes of the disease on the Internet in the presence of the patient.¹⁸⁰

Access to medication is also problematic for the people of Akhagori, the choice is very small on the spot, and what is available is very expensive. Since the de-facto administration of Tskhinvali prohibits the sale of any medication that may be imported from the controlled territory of Georgia, this makes it even more difficult for the locals to access healthcare.

Akhagori Hospital has been the cause of scandals many times due to the heavy corruption that exists here. In December 2021, the de-facto Minister of Health of Tskhinvali region, Soslan Naniev, started an investigation into this, dismissed the chief doctor of the hospital and started studying the hospital's documentation, although the results of the investigation are not known until now, and the situation has not improved for the people of Akhagori.¹⁸¹

There are 6 medical centers in the Georgian villages of Akhagori and two in the Ossetian part. There is no doctor in any of them, there are only nurses. Nurses have no medical training, including first aid knowledge.¹⁸²

9. Right to Education

Preschool education

There are two kindergartens in Akhagori, one in Akhagori township and the other in Tsingara village. Before the war, there was also a kindergarten in the village of Ikoti, which was closed in 2008 due to the lack of children. There were two kindergartens in Akhagori township and they were merged in 2018 due to the lack of children. The new building of the kindergarten was ceremonially opened by the de-facto president Anatoly Bibilov in June 2018. During the merger of the gardens, all kindergartens those who did not speak Russian and Ossetian were fired.¹⁸³ This was followed by a protest in Akhagori, due to which some Georgian employees who did not know Russian and Ossetian languages were reinstated although not in the position of teachers (mainly as cleaners, cooks, or babysitters).

Education in kindergartens is entirely in Russian. Ossetian language is used only during events. It is completely forbidden to speak Georgian in the kindergarten, which became the cause of a scandal in

¹⁷⁹ "Missing" doctors and the difficult epidemic situation in Akhagori, Radio Liberty, October 29, 2021. Available at:<https://www.radiotavisupleba.ge/a/დაკარგული-ექიმები-და-რთული-ეპიდვითარება-ახალგორში/31535915.html>

¹⁸⁰ Corruption scheme in Akhagori hospital What is being investigated in Tskhinvali, Netgazeti: December 16, 2021. <https://netgazeti.ge/news/582381/>

¹⁸¹ The chief doctor of Akhagori Hospital was fired, Radio Liberty, December 6, 2021. Available at:<https://www.radiotavisupleba.ge/a/31595856.html>

¹⁸² Interview with Akhagori researcher, September 20-23, 2022

¹⁸³ Employees from Akhagori Kindergartens were fired due to lack of language skills, Radio Liberty, June 13, 2018. Available at:<https://www.radiotavisupleba.ge/a/ახალგორის-საბავშვო-ბალებიდან-თანამშრომლები-ენის-უცოდინრობის-გამო-გაათავისუფლეს/29288409.html>

the new kindergarten in the township in September 2018. The new director of the kindergarten, Alla Gusoeva, forbade children and babysitters to speak Georgian to each other.¹⁸⁴ In the kindergarten, where Georgian and Ossetian children study together, and many of them do not know the so-called state language, Georgian was spoken during the playtime, which was followed by the criticism of the kindergarten director in a rude manner. The parents of the children expressed their displeasure regarding this fact, and it was criticized in the media as well. The teachers in the garden are mainly wives of Russian soldiers. The new kindergarten in Akhagori township is well equipped with new infrastructure, has good nutrition and conditions. Every year, 6-7 school-age children graduate the kindergarten, they are mostly first-graders of Dabi and Ikoti schools. Children of Russian soldiers also study in the kindergarten, which increases the number of children in the kindergarten (about 20 children study in the kindergarten). According to the researcher from Akhagori, the number of kindergartens in the district is sufficient and there is no need for more, because the district is depopulating and mostly elderly people stay here.¹⁸⁵

General educational institutions

Similarly to Gali, teaching in the Georgian language was also banned in Akhagori's general educational institutions. In 2017, the de-facto administration of Tskhinvali made a decision regarding the conduct of classes in the Russian language.¹⁸⁶ The transition to teaching in the Russian language took place gradually. In 2017, the language of instruction was changed from the first to the fifth grade, and today only the graduating 11th grade remains Georgian-speaking, which will become Russian-speaking next year. The local de-facto administration cited the fact that Akhagori schools followed the existing educational program in Georgia, with this program the subject of history was also taught, which did not comply with the standards and requirements established by the de-facto Ministry of Education of South Ossetia. After this decision, Akhagori teachers and students knew from the beginning that they would face problems in terms of receiving and providing quality education, because the knowledge of the Russian language in the district is very low. For this reason, Akhagori schools are emptying out year after year. Currently, in the six functioning schools of Akhagori, Georgian is taught only in the final grades (10-11). In other cases, Georgian is taught as a foreign language five hours a week.¹⁸⁷

According to the 2021 report of the Public Defender of Georgia, the school in the village of Akhmaji was closed due to the absence of students. Until 2020, 7 general educational institutions functioned in Akhagori district. After the closing of Akhmaji school, this number decreased to 6.¹⁸⁸ Of these, there is 1 Russian school, where the largest number of students study: in 2021, a total of 131 students were enrolled in Akhagori schools, of which 73 are Russian school students. According to the data for the 2020-2021 school year, a total of 58 students were enrolled in Akhagori Georgian schools and 115 teachers were employed. For comparison, in the 2019-2020 school year, 63 students were registered

¹⁸⁴ Banned Georgian Lesson, Radio Liberty, September 3, 2018. Available at:<https://www.radiotavisupleba.ge/a/აკრძალული-ქართულის-გაკვეთილი/29468745.html>

¹⁸⁵ Interview with Akhagori researcher, September 20-23, 2022

¹⁸⁶ Georgian language teaching is canceled in Akhagori district, Radio Liberty, August 11, 2017. Available at:<https://www.radiotavisupleba.ge/a/kartuli-enis-sakitkhi-akhagorshi/28671045.html>

¹⁸⁷ Report of the Public Defender, 2021, p. 334.

¹⁸⁸ Akhagori Georgian School, Akhagori Russian School, Ikoti, Korinta, Balaani, Zemo Boil.

in these schools, in 2018-2019 - 85, in 2017-2018 - 98, in 2016-2017 - 105, and in 2015-2016 - 118.¹⁸⁹ In 2021, two Akhagori schools did not have first-grade students (in village Balaani and Zemo Boli). Georgian school of Akhagori was the biggest school in the entire district. According to the former governor of Akhagori, more than 1000 children studied here before the war.¹⁹⁰ According to the 2021 report of the Public Defender, 34 students were enrolled here in the 2020-2021 academic year.¹⁹¹

The quality of education in Akhagori schools has radically deteriorated after the teaching in the schools was switched to the Russian language. Most of the teachers do not know Russian and have not passed the certification for years.

In recent years, there have been cases of pressure and harassment on Akhagori teachers. On February 3, 2020, the director of the Georgian school in the township was dismissed from position because they refused to comply with the request of the education department regarding the expulsion of five students.¹⁹² During school enrolment, the students could not present their 9th grade graduation certificates due to the road closure, and the education department of the township asked the director to expel the children from the school, to which the director refused. In case of expulsion, the children would not be able to return to Tserovani and would remain without education. Because of this, the school principal was fired. The director of the Ikoti school was also dismissed from the position, because of the "lack of pedagogical education".¹⁹³

In 2020, the new head of Akhagori education department, former policeman, Hamlet Eloev, asked the principals and teachers of Akhagori schools to have the parents sign statement, where they would state that their children would not continue their studies at the Georgian higher education institution after graduation. Otherwise, they would not get the certificate. The director of Akhagori Georgian School refused to do so, after which he/she was persecuted and eventually fired. The school director filed a complaint at Tskhinvali court.

According to the locals, the Georgian government has not done anything to make it possible for the people of Akhagori to get an education in the Georgian language: *"Who should we turn to?" Bibilov announced that Georgian schools would be closed and someone from the Georgian government raised a voice about it? I have not heard anything like that."*

Higher Education

Before the Chorchana-Tsnelisi crisis, students from Akhagori were able to enrol in universities in the controlled territory of Georgia in the same way as students from other territories of Georgia. To sit for the unified national exams, they passed through the Mosabruni checkpoint and after passing the exams, they were enrolled in Georgian universities. In 2020, the Ministry of Education of Georgia made

¹⁸⁹ Report of the Public Defender, 2021, p. 334.

¹⁹⁰ Interview with Akhagori researcher, September 20-23, 2022

¹⁹¹ Report of the Public Defender, 2021, p. 335.

¹⁹² Former principal of Akhagori Georgian school fights to protect their rights, Radio Liberty, July 8, 2020. Available at: <https://www.radiotavisupleba.ge/a/ახალგორის-ქართული-სკოლის-ყოფილი-დირექტორი-საკუთარი-უფლებების-დასაცავად-იბრძვის/30714177.html>

¹⁹³ Access to education in mother tongue in Gali and Akhagori districts, DRI, 2020, p. 7.

an exception for prospective students living in the occupied territory and allowed them to enrol in higher education institutions without an exam, as they could not attend the exams due to restrictions on freedom of movement. It was also decided that the state will fully finance their education fees with the maximum amount of educational grant (2250 GEL).¹⁹⁴

The de-facto administration of Tskhinvali met this decision with pressure and threats against the people of Akhagori. After the announcement of this decision by the Georgian authorities, representatives of the de facto security service met with the graduates of the Akhagori school and warned them not to continue their studies in Tbilisi, otherwise they would not be able to return.¹⁹⁵ Security officers urged young people to continue their studies in Tskhinvali. In general, the de-facto administration of Tskhinvali tries to encourage the people of Akhagori to study at the Tbilov University of Tskhinvali. Akhagori residents can enter Tskhinvali University without an exam.

During the last 6 years (2016-2021), a total of 1018 people from South Ossetia were enrolled in higher education institutions of Georgia, of which 312 were from Akhagori. It should be noted here that the number of graduates from Akhagori in the same period is 69 students. It is interesting that in 2015-2019, 23 young people from Akhagori were enrolled in higher education institutions of Georgia,¹⁹⁶ although this number practically doubled in the next 2 years, which should be related to the possibility of enrolment without exams. 793 students from South Ossetia enrolled in 2016-2021 were financed within the social program of student financing.¹⁹⁷ The students received these funds from the central government of Georgia within the framework of the student social assistance program, which also includes those students who received general education in the occupied territories.¹⁹⁸

10. Political participation, representation and employment in the public sector

There is a district administration building in Akhagori township, where all de-facto ministry offices (departments) are located, as well as the office of the prosecutor's office; In addition, there is a council building, two schools in the township, one of the schools of the township, which is a 9-year general educational institution, is subordinate to the high school of the village of Boli. These two schools have a common director.

The residents of Akhagori are employed in the public sector, mainly at the local level, among them there are also management positions. In some cases, these people receive additional salary from the central government of Georgia. According to the local "legislation", people who deal with district budget documents or are employed in the police are prohibited from crossing the ABL or having family members in the Georgia-controlled territory.

¹⁹⁴ Students enrolled without exams from the occupied territories, Radio Liberty, July 6, 2020. Available at: <https://www.radiotavisupleba.ge/a/30710162.html>

¹⁹⁵ KGB pressure on Akhagori prospective students, attempt to depopulate the region, Radio Liberty, June 18, 2020. Available at: <https://www.radiotavisupleba.ge/a/30678195.html>

¹⁹⁶ Access to education in mother tongue in Gali and Akhagori districts, DRI, 2020, p. 8

¹⁹⁷ Information provided by the Ministry of Education and Science of Georgia, September 8, 2022.

¹⁹⁸ <https://mes.gov.ge/content.php?id=4791&lang=geo>

Georgians also hold leading positions in the district administration, local Georgians are also governors of village councils. They are also prohibited from entering the controlled territory of Georgia.

Georgians also take political positions in local political parties.

There are no ethnically Georgians working in the police and courts, although there are Georgian citizens, that is, people who had received Georgian citizenship before the war and have maintained this status to this day.

The court building is located in Akhagori, but the judge from Tskhinvali, who has been coming here every Monday for the last year, conducts court proceedings in the building of the district administration. Moreover, once a week there are reception days for the residents, where locals can receive consultations on legal issues.

Due to the fact that Georgians are also employed in the public sector in Akhagori at the local level, the people of Akhagori can freely communicate with self-government bodies in Georgian. The language of communication is also Ossetian and Russian. If someone needs an interpreter, local staff can help with the translation. However, in the villages of Akhagori, they note that it is difficult to communicate with doctors/nurses, who are more Russian-speaking or Ossetian-speaking, so they are unable to understand medical terminology and communicate properly.

The people of Akhagori always participate in political meetings, if any politician comes from Tskhinvali to meet the people of Akhagori. However, they refrain from proactive participation and demanding the solution of a specific problem, because they do not want to appear in the eyes of the de facto government as disgruntled "citizens". Since everything is already possible to be solved here at all levels by corrupt means, they believe that there is no need to protest. According to the locals, the representatives of the de-facto administration and political figures remember the problems of the locals only when the elections are approaching and they decide to visit the district. *"It is senseless to ask them about anything, they only come for elections and then everyone forgets about us"*, says one of the locals.

Addressing at the self-government level is also low. The main demand of the people of Akhagori at the political level after 2019 is the opening of the checkpoint, which in turn is acceptable to the politicians, because it covers other existential and social problems.

11. Freedom of expression and civil society

In general, the situation in terms of freedom of expression in Tskhinvali region is most critical. According to Freedom House's 2022 report, freedom of expression is completely limited in South Ossetia. Local media, including the TV channel IR, as well as publishing houses Yuzhnaya Osetiya and Respublika, and the online platform RES are fully controlled by the local de facto administration. According to the Freedom House report, self-censorship is quite strong and criminal defamation cases are common.¹⁹⁹

The case of five years of persecution and harassment of civil activist and blogger Tamar Mearakishvili from Akhagori is an example of this practice. Tamar Mearakishvili has been critically assessing the de-facto administration of Tskhinveli for years and exposing the existing corruption schemes there. She

¹⁹⁹ South Ossetia, 2022, Freedom House Report: <https://freedomhouse.org/country/south-ossetia/freedom-world/2022>

is also critical of the policy of the Georgian government. The case of her criminal prosecution was started by the Tskhinvali de-facto prosecutor's office in 2017 and continues to this day. The basis of the persecution was Tamar's critical article about the corrupt interests that the winning party in the local "presidential elections" might have.²⁰⁰ On June 8, 2017, Mearakishvili was kidnapped by the representatives of the de facto security service and for 15 hours they tried to get a confession from her that she cooperated with the security services of Georgia.

In August 2017, criminal prosecution was started against Tamar. The de-facto prosecutor's office accuses her of defamation, falsification of official documents and illegal acquisition of South Ossetian citizenship. Tamari Tskhinvali was acquitted twice by the de-facto court, after the acquittal verdict, the cases were returned to the prosecutor's office, and the court indicated that the guilty charge was not substantiated, after which the prosecutor's office continued criminal prosecution. After the cases were returned from the court, in May 2022, the de-facto Prosecutor's Office decided to close the criminal cases on the grounds of the expiration of the statute of limitations for criminal prosecution, however, since Tamar Mearakishvili's status as a convicted person would have been maintained if the case was closed on the said basis, she appealed the decision of the Prosecutor's Office, and the de-facto court of Tskhinvali did not allow the Prosecutor's Office to close the case on the above grounds.²⁰¹ The Although the de-facto court indicated the need to stop the criminal prosecution, the de-facto prosecutor's office of Tskhinvali informed Mearakishvili in October of this year that it plans to resume the investigation into the criminal case, although this time the investigation will be resumed only into one criminal case of illegally obtaining a "passport". Nevertheless, the decision made is essentially illegal and unfounded, which was repeatedly confirmed in the de-facto court, although despite the legal weakness of the case, the de-facto Prosecutor's Office aims to harass and intimidate the civil activist by continuing the proceedings.

It should also be taken into account that Tamar's identity documents have been confiscated, and her freedom of movement has been restricted for five years. Even in the Tskhinvali region, she cannot move to specific villages where there are so-called border checkpoints. The isolation and house arrest of the activist from Akhagori is aggravated by her economic isolation, because Tamar cannot work or earn income through other economic activities. Such treatment is clearly aimed at intimidating her and forcing her to leave Akhagori district or to stop expressing critical positions in public.

There is no practice of democratic self-organization and civil activism in Akhagori. Non-governmental organizations do not function here, and international organizations are also not represented. The International Committee of the Red Cross is the only international organization that has access to the territory of South Ossetia, although the scope here is limited to a specific humanitarian mission (transferring patients to the controlled territory of Georgia).

In 2014, the de-facto administration of South Ossetia adopted the law "On Agent of a Foreign Country". The law imposes strict controls on local non-governmental organizations that cooperate

²⁰⁰ Сторонники победителя примеряются к хлебным местам, Ekho Kavkaza, April 27, 2017. Available at: <https://www.ekhokavkaza.com/a/28455829.html>

²⁰¹ Activist Tamar Mearakishvili won the trial in Tskhinvali court, Netgazeti: May 16, 2022. Available at: <https://netgazeti.ge/news/610792/>

with Western funds. Thus, the law practically limited the activities of non-governmental organizations.²⁰²

12. Economic situation and employment

The main source of income for the people of Akhagori is agriculture and animal husbandry, as well as small entrepreneurship. Before the closure of the road, the people of Akhagori traded in the Georgia-controlled territory, however, after the restriction of freedom of movement, they mainly sell their products in the Tskhinvali market. They mainly bring walnuts, honey and cheese to sell in Tbilisi. Trout is bred locally and sold in the Tskhinvali market. There are also small beekeeping businesses in Akhagori and honey is sold in Vladikavkaz.

Small entrepreneurs and businesses are supported in Akhagori by the central government of Georgia within the framework of separate grant programs, although locals rarely talk about it. According to the researcher from Akhagori, these activities are controlled by the Tskhinvali security service and are under their protection, in exchange for which they receive appropriate benefits from the entrepreneurs, otherwise it will be difficult for them to work freely. Security services and high-ranking police officers also 'oversee' the transfer of smuggled goods to the controlled territory of Georgia, including cigarettes and brandy, and they turn a blind eye to such smuggling in the interest of financial gain.

The people of Akhagori are freely employed in public service at the local level, although there are cases when ethnic Georgians are dismissed from separate public institutions. For example, Georgians were released from the Akhagori township's new kindergarten, as well as from the Akhagori museum. In 2020, two Georgian school principals were also dismissed because they did not comply with the instructions of the Akhagori Education Department.

13. Property rights

In Akhagori and Tskhinvali region in general, there is no legal framework and institutional basis of for the local residents to register ownership rights and buy and sell real estate. The people of Akhagori mostly register their property in Tbilisi, and their property rights are recognized and formalized by the central government of Georgia. However, a large part of the population has not registered agricultural plots and cannot buy and sell the land as needed. At the local level, the act of buying and selling is not notarized as there is no relevant legal framework.

14. Culture and religion

The church service in Georgian is not limited in Akhagori. There are three churches in Akhagori district - in Akhagori township, as well as in the village of Largvisi and the village of Ikoti. Also, in 2016, the Diocese of Alanya, with the support of business representatives, built an Ossetian church in Akhagori, where a service in Ossetian is held only once a year. In other cases, the service is conducted here in Georgian as well.

²⁰² Overview of challenges in the protection of human rights in Abkhazia and Tskhinvali region/South Ossetia, 2019-2020, DRI, 8-9.

Akhalgori is home to Eristavi palace, which is in need of rehabilitation - roofing and internal utilities, for which no resources have been allocated from Tskhinvali. The Georgian side also does not care about the rehabilitation of the palace, and in a few years there may be a danger of its collapse. Five years ago, the Georgian director of this palace was dismissed because they did not cooperate with Tskhinvali and could not obtain resources for the rehabilitation of the palace. However, the real reason was their Georgian ethnicity and connections with representatives of Sanakoev's administration.²⁰³

A year ago, the Akhalgori Museum changed its status, it was removed from the custodianship of district administration and was given the status of a state museum. The reason for change of the status was that the museum needed rehabilitation, although the rehabilitation process has not started yet. Georgian employees were also dismissed from here and now only two people work in the museum - the director and the tour guide. The restorer of the museum, the custodian of the repository and one tour guide have been dismissed.

Nothing is being done to protect Georgian culture in Akhalgori by the local de facto authorities.

15. Security and Relations with Law Enforcement

During the research, the residents of Akhalgori noted that discriminatory approaches to Georgians on the basis of ethnicity in relations with law enforcement officers is not a frequent practice, although there were serious instances of discriminatory treatment in politically motivated cases (for example, the case of Tamar Mearakishvili). In general, the whole system is corrupt and built on nepotism, and money can be used to solve everything vis-a-vis the police, prosecutor's office, and penitentiary system.

The people of Akhalgori mainly address the court regarding vehicle-related fines, for appeals and labor disputes.

In Akhalgori, local residents do not consider the Prosecutor's Office to be a serious agency, because they think that all cases can be solved there by corrupt means. The same approach applies to Akhalgori police. During the research, it was also revealed that a detainee cannot be kept at the police station for more than three days, as they don't have a detention facility there.

There is no penitentiary facility in Akhalgori, there is only a police building, although it cannot be used for temporary detention either, because the building is not properly equipped. There are no incidents of violence or excess of force by the police in Akhalgori, although the local police does not have the resources to effectively investigate the facts of the crime.

In Akhalgori, there are frequent incidents of squatting in closed houses. In 2015-2016, business racketeering practices by high-ranking law enforcement officers as well as other government

²⁰³ Interview with Akhalgori researcher, September 20-23, 2022

"officials" were also prevalent. This practice has now abated, but there are signs of a return of practice under the new de facto government of South Ossetia.²⁰⁴

Control and surveillance practices by the security services are frequent, they constantly check all places of employment, both private and public, and they have information on all residents of the district. The practice of surveillance and eavesdropping is also exercised.

During the crossing of the so-called border, the practice of control and search by the Russian services is frequent, they also check the elderly people to find what they are transporting to and from the Georgia-controlled territory.

"... well, those who are caught are released with a fine, they don't take them anywhere, but they search everything, if you have a phone, messages, calls, whose numbers you have saved, they check everything and take pictures." says the respondent from Mosabruni village. According to him, the inspection questions ask what information they have about the ongoing political processes in Georgia, whether they are members of any Georgian political party, whether their relatives or family members work in the security service or law enforcement agencies, although according to the respondent, this is merely formality, because it is clear from their conversation, that they already have all the information about the detainee.

"Finally, when the road was opened for a while and I was going to Tbilisi, the Russians took us to the exit post from the village, they checked our phones, who we were calling, who we were texting. They were telling us things, as if they have some information about us. If someone sneaks in, they bring them here in Akhmaji, to the Russian base, and they were wondering if we knew anything, if we could see who was being brought in and who was being taken out. Then the Georgians brought us in. They were asking if we wanted anything, if anybody was disturbing us. They also have their own interest and we lost the whole day in this," - one of the respondents from Akhmaj village shares his experience.

16. Access to Information

The residents of Akhagori mainly get their information from Georgian TV channels, another source of information is social network. The only independent media outlet in the Tskhinvali region, which covers Akhagori and the Tskhinvali region in general, is Echo Kavkaza, all other TV channels and publishing houses are controlled by the government.

17. Inter-community communication and relationship

In Akhagori, inter-communal trust and relations are weakened, although relations are maintained at the minimum household level. In the conditions of isolation, people have become accustomed to a closed life and communication with the Ossetian population is limited due to lack of trust. The security services have such a close relationship with the local population that it creates a crisis of trust, and, as a result, relations have weakened in recent years. According to the researcher from Akhagori, this is observed not only in the relationship between Georgians and Ossetians, but also among Georgians.

²⁰⁴ Interview with Akhagori researcher, September 20-23, 2022

However, they also note that trade relations are quite strong with Tskhinvali, from Tskhinvali they commute to the Akhgori market to buy agricultural products and sometimes they even go to the villages of Akhgori, so the relations with the Ossetians are quite strong in this regard. In addition, mixed families that existed in Akhgori before the war and the kinship ties with the Ossetians still exist and have not changed after the war.

Summary and recommendations

The research revealed that the human rights situation of the population in Gali and Akhagori is doubly severe due to living under condition of continued systemic discrimination by the de-facto authorities and the negligence of the Georgian authorities. The difficulties of the unresolved conflict make daily life even more difficult for the people of Gali and Akhagori. In addition, the instability of the internal political situation, the foreign or domestic political events beyond the conflicts often affect the human rights and social situation of the population in these regions. Any political tension within the country (e.g. demonstrations) or crisis makes the Gali and Akhagori residents an object of isolation or further control.

Restriction of freedom of movement, problematic access to health care, social and other support services, restriction of the right to education in the native language, difficult social and economic background, corrupt and complex bureaucratic environment in de facto political systems, challenges related to security - these are the main problems that the residents of Gali and Akhagori face on a daily basis. It makes their life difficult and sometimes, forces them to leave their homes.

Furthermore, the legal status of Gali and Akhagori residents in the local de-facto system is unstable, therefore, they must adapt to the de facto administration and the "legal regimes" established by them. In this regard, the situation in Gali is exceptionally difficult, because the legal status of the local Georgian population has remained vague and unclear for years. The de-facto administration of Abkhazia does not allow them to obtain the so-called status of a citizen, which becomes the basis for the restriction of many civil, political and social rights. The inhabitants of Gali retain the right to live in their own homes with the temporary residence permits, and thus are perceived as guests, strangers in the local system.

The residents of Akhagori do not have a problem related to the legal status, since the de-facto administration of South Ossetia issued "the passport of the citizen of the Republic of South Ossetia" for the majority of Akhagori citizens, which gives them the opportunity to receive social services and support on the ground, although the documentation problem is still critical for Akhagori. They still need the so-called "permits" to cross the ABL towards the Georgia-controlled territory, which the de-facto administration and security services do not issue, leaving the local population in continuous isolation.

Freedom of movement is a critical issue for the population of both districts. Movement to the Georgia-controlled territory is related to their access to basic social, household and healthcare services, which are practically non-existent in these regions. Isolation policy limits their ability to maintain relations and family contacts, which constitutes fundamental aspects of personal and family life.

In such a fragile and vulnerable social and legal situation, the local population is forced to leave their regions and either move to the Georgia-controlled territory or leave the country altogether. During the research, it was revealed that the number of students in Akhagori and Gali schools and kindergartens is decreasing year by year, because the youth does not see the perspective of development. Akhagori is especially on the verge of demographic depletion, because the isolation policy started in 2019 deprived the locals of access to basic resources. The existing corrupt,

discriminatory and unfair bureaucratic process leaves the status of the population uncertain under de facto states, which implies violation of basic civil and political rights, limitations on social and economic resources.

The fact that Georgian authorities envision the residents of Gali and Akhagori only from the lens of the status of citizens of Georgia further worsens the situation. Such policy excludes the provision of additional support mechanisms for them, as a particularly vulnerable group living in the context of protracted conflict. As a result, the population of these two districts feel twice more excluded and discriminated against.

Firstly, the Government of Georgia should realize and recognize the potential of the people of Gali and Akhagori in the process of peace building and conflict transformation and to reflect this potential in political mechanisms. In the existing strategic documents on peace policy and in the general rhetoric of the government at international and domestic level, it is recognized that the population of these regions is an object of systematic discrimination and rights violations. In this way, the authorities are trying to impose full responsibility to the de-facto administrations of Abkhazia and Tskhinvali region and to the Russian Federation as the state with effective control over these regions. However, Georgia does not adequately recognize its positive obligations, namely to implement all reasonable political, diplomatic, legal, administrative and other reasonable policies to protect human rights in the conflict regions, including Gali and Akhagori.

In human rights law, the absence of control does not exclude de jure state's positive obligations to protect human rights, and this has been repeatedly recognized by the European Court of Human Rights while adjudicating the similar contexts.²⁰⁵ The UN Human Rights Committee also emphasized the positive obligation of the de jure state in face of loss of territorial control.²⁰⁶ The European Court finds that the main characteristic of positive obligations is that state authorities are required to take the necessary measures to ensure a specific right. It should be noted that the framework of positive obligations is stable in judicial practice. The court constantly emphasizes that with positive obligations, the state must create tangible material and judicial conditions for the real implementation of rights.²⁰⁷

In relation to conflict regions, the Court obliges States to take all legal, administrative and diplomatic measures to ensure the protection of the rights and freedoms guaranteed under the Convention in relation to persons throughout the territory. More precisely, in the case of *Ilaşcu and others v. Moldova and Russia*, the European Court found that positive obligations constitute, on the one hand, the restoration of control over a territory, and on the other hand, the protection of the people living there. These general obligations are more quasi-autonomous, meaning that these obligations derive

²⁰⁵ *Ilaşcu and Others v. Moldova and Russia*, App no 48787/99 (ECHR, 8 July 2004), paras 336-345; *Catan and Others v Moldova and Russia*, para 110; *Güzelyurtlu v. Cyprus and Turkey*, para 200.

²⁰⁶ UN Human Rights Committee (HRC), CCPR 'General Comment No. 26: Continuity of Obligations' CCPR/C/21/Rev.1/Add.8/Rev.1 (8 December 1997) para 4;

²⁰⁷ Jean-François Akandji-Kombe, Positive obligations under the European Convention on Human Rights, Human rights handbooks, No. 7, 7.

from Article 1 of the Convention, but the assessment of these obligations still depends on the specific situation and context.²⁰⁸

Although the influence of de jure states in the absence of control is severely limited and we understand the insurmountable challenges facing the state of Georgia, it is important for the state to demonstrate due diligence efforts to protect the rights of persons under its jurisdiction. The fulfillment of such obligations is of particular importance in the conditions of continuous conflict, when the rights violation can be systemic and the unresolved conflict has a heavy impact on the life of people in these conditions.

To redress the given severe situation, it is necessary for the Georgian authorities to change their approaches and take active, positive steps to support the population of Gali and Akhagori districts; to activate the formats of direct dialogue and cooperation with the de-facto administrations of Tskhinvali region and Abkhazia with the purpose to overcome the human rights and social crises. Today, the state does not have a political mechanism and format (strategy, action plan, coordination mechanism, dialogue format) where state bodies would work in a coordinated manner on the issues of transformation of the ongoing conflict, including to discuss the human rights and social challenges faced by Georgian citizens living outside the control of Georgia, in Abkhazia and Tskhinvali region. Moreover, the state does not see the special needs of the population of Gali and Akhagori, which would be reflected in the relevant policy and would offer additional support resources to this population. Looking only through the prism of the status of a citizen of Georgia makes the citizens living in the conflict zone an extremely vulnerable group, where their rights are doubly violated. The state also does not create a dialogue platform with de-facto administrations, even with the involvement of independent international actors or direct dialogue formats, where these challenges would be discussed and the people of Gali and Akhagori would be seen as important actors in the process of conflict transformation.

Recommendations to the Georgian government:

Despite the systemic challenges facing Georgia in the absence of actual control in the conflict regions, following recommendations are important to take into account:

1. Raise the challenges related to the situation of human rights protection in the conflict regions, including Gal and Akhagori, on high-level political and legal platforms;
2. Discuss the creation of status-neutral dialogue formats with the de facto authorities of Abkhazia and South Ossetia/Tskhinvali region, which would become a mechanism for practical and effective resolution of human rights and social protection issues;
3. Provide and allocate necessary resources to strengthen the participation of human rights institutions on both sides of the conflict and the dialogue between them within the format of international negotiations in Geneva;

²⁰⁸ Jean-François Akandji-Kombe, Positive obligations under the European Convention on Human Rights, Human rights handbooks, No. 7, 9.

4. Adopt a special action plan aimed at human rights and social protection in the conflict regions, inter alia, Gali and Akhagori, which will implement close consultations with local communities and democratic mechanisms of accountability and monitoring;
5. In order to increase access to quality health care (including the state program of referral services) for Georgian citizens living in Gali and Akhagori, the same programs that are applied to other populations living in conflict regions should be extended and information about these programs should be proactively provided to the population. Among them, the procedures for providing information and services to people interested in the program at the Ministry of Health should be simple and easy.
6. The residents of Gali and Akhagori should be proactively and regularly (for example, every three months) informed about the resources, programs and services available in the Georgia-controlled territory. For this purpose, regular meetings can be scheduled (in case of the impossibility of a direct meeting in an online format) with representatives of the Office of the State Minister of Reconciliation, the Ministry of Health and Education, or designate contact persons from these agencies to communicate with the population of these districts.
7. Establish regular formats of cooperation (communicational technical committees) with the de facto administrations of Gali and Akhagori and with the participation of international actors (EUMM), where information exchange and cooperation on basic issues of critical importance, including education, health care, social services, problems related to displacement, will take place on a regular basis.
8. In order to preserve the Georgian language, special online language teaching programs should be developed for young people from Gali and Akhagori, which will enable them to maintain their knowledge of the Georgian language, enrol at and get quality education in Georgian higher education institutions.
9. Strengthen the support (both financial and professional) for teachers from Gali and Akhagori, so that they can prepare the local youth for the unified national exams.
10. Develop a social support program for the students of Gali and Akhagori enrolled in the higher educational institutions of Georgia, to cover housing expenses.
11. The Georgian authorities should promote the creation of commercial and medical infrastructure close to the administrative border with Tskhinvali region (pharmacy, hospital, shop), which will create access to primary services and products for the population of Akhagori district and for the population living close to the dividing line on both sides of the administrative border.
12. Further strengthen the programs and services aimed at the protection of women's rights in the conflict regions, especially in Gali and Akhagori.

Recommendations to international actors (EU, EUMM, UN):

We emphasize the important role of international actors and their long-term efforts in the direction of conflict resolution, peace building and human rights protection in Georgia. To this end, it is crucial to highlight some positive recommendations addressed to international actors; Among them, it is necessary that they:

1. Promote the further strengthening of international political interest towards the protracted conflicts of Georgia and the actively raise the topic related to the transformation of conflicts in Georgia and the protection of human rights on various high-level platforms.
2. It is important to review the institutional infrastructure of the engagement policy and to more actively support the creation of platforms for direct dialogue between Tbilisi and Sukhumi, as well as between Tbilisi and Tskhinvali on status-neutral social and rights-related issues;
3. By negotiating with the Georgian authorities, as well as with the de facto administrations of Abkhazia and Tskhinvali region, establish a regular dialogue format, where international actors will facilitate and the parties will discuss acute human rights and social issues such as freedom of movement, the right to education and improving accessibility to healthcare/social services.
4. The European Union and the EU Monitoring Mission should create a negotiation format with the Georgian authorities and the de-facto administrations of the Tskhinvali region and Abkhazia, where the parties will discuss increasing the role and access of the EU Monitoring Mission to the territories not controlled by the Georgian government, to monitor the human rights and social situation and foster improvement.
5. The European Union, as well as the EU Monitoring Mission, should establish democratic consultative platforms that would give the conflict-affected population the opportunity to regularly present and share their needs, concerns and visions. Special attention should be given to role of local actors and women's organizations involved in peace building.