

GEORGIA:

New IDP strategy awaits implementation

A profile of the internal displacement situation

11 October, 2007

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Through its work, the Centre contributes to improving national and international capacities to protect and assist the millions of people around the globe who have been displaced within their own country as a result of conflicts or human rights violations.

At the request of the United Nations, the Geneva-based Centre runs an online database providing comprehensive information and analysis on internal displacement in some 50 countries.

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OVERVIEW

New IDP strategy awaits implementation

Tens of thousands of internally displaced people (IDPs) from Georgia's secessionist territories of Abkhazia and South Ossetia have been waiting more than a decade for a solution to their displacement following conflicts which broke out in the early 1990s. The majority of the 220,000 to 247,000 IDPs have found refuge in the region bordering Abkhazia and in the Georgian capital, Tbilisi. Many of them still live in precarious conditions in former hotels and public buildings, and depend on meagre state benefits. During the past few years, some 45,000 people have returned to the Gali district in eastern Abkhazia, only to find poor conditions and economic prospects.

In order to improve their situation, the Georgian government developed in early 2007 a national strategy on IDPs, drawn up with the support of the international community and civil society organisations. The strategy aims to serve as a foundation for the government's action plan, which is expected to be implemented with support from the UN and other international partners. As of October 2007, implementation of the strategy had not started.

Background and causes of displacement

Following the break-up of the Soviet Union and its declaration of independence in 1991, Georgia had to confront two regions within its own borders which were demanding independence: Abkhazia and South Ossetia. The fighting that followed killed about 10,000 people and caused the displacement of some 300,000 people (UNDP, 2004). The conflicts also resulted in the Georgian government's loss of control over both regions, which now largely owe their de facto autonomy to Russian backing.

Close to 95 per cent of the IDPs originated from Abkhazia (CHR, 25 January 2001), where virtually the entire ethnic Georgian population fled, primarily to the region on the Georgian side of the internal border with Abkhazia, and to the Georgian capital, Tbilisi. At the same time, many ethnic Abkhaz were displaced within Abkhazia. Ethnic Georgians and Abkhaz also found refuge in Russia. Both groups generally describe what happened to them as "ethnic cleansing" (Dale, 1997; IFRC, 30 November 2000).

The conflict in South Ossetia caused the displacement of 60,000 people, mainly ethnic Ossetians from both the breakaway territory and other parts of Georgia; the vast majority of them found refuge in North Ossetia, Russia. About 10,000 ethnic Georgians from South Ossetia were also displaced within Georgia (CHR, 22 March 2006).

In 2004 and 2005, the Georgian Ministry of Refugees and Accommodation (MRA), with the support of UNHCR and the Swiss government, identified and registered 221,597 IDPs currently living in territories under Georgian control (CHR, 22 March 2006). However, this figure has not been endorsed by the Georgian government, who used the estimate of 247,000 in 2007 (GoG, 2 February 2007). The MRA has also started to register as IDPs some of the hundreds of Georgian citizens deported from Russia, as it views many of them as originating from Abkhazia and South Ossetia (UNCT in Georgia, November 2006). Approximately 70 per cent of Georgia's IDPs live in urban areas, primarily Zugdidi in western Georgia, but also Tbilisi and Kutaisi (World Bank, May 2005).

Peace remains elusive

In order to prevent the resumption of violence, the international community sent peacekeepers to South Ossetia and to Abkhazia in 1992 and 1994 respectively. In South Ossetia, a Joint Control Commission representing Georgia, Russia, North Ossetia and South Ossetia, as well as Joint Peacekeeping Forces representing Georgia, Russia and North Ossetia, are mandated to prevent the resumption and escalation of the conflict. The UN Observer Mission in Georgia (UNOMIG) performs a similar function in Abkhazia. Its contingent is entirely made up of Russians, as peacekeeping has been mandated to the Commonwealth of Independent States. Georgia has long criticised the presence of Russian peacekeepers in South Ossetia and Abkhazia, and in July 2006, the Georgian parliament passed a resolution requesting the government to expedite the withdrawal of both Russian peacekeeping contingents.

South Ossetia

Following the election of President Mikhail Sakaashvili in January 2004, the government intensified efforts to bring South Ossetia back under its control. Tensions rose and clashes caused the temporary displacement of several thousand people in July and August 2004. Since local elections were held at the end of 2006, there have been two competing authorities in South Ossetia, one seeking closer relations with Russia and the other, backed by the Tbilisi government, aiming for autonomy within Georgia.

Abkhazia

The UN has led the international community's efforts for a peaceful settlement of the Georgian-Abkhaz conflict. Abkhazia declared independence in 1994, but it has never been recognised by a single country, though Russia maintains a border crossing and has re-opened a railway link to the city of Sukhumi. The return of refugees and IDPs, predominantly to the Gali district of eastern Abkhazia, has been a central issue in peace negotiations (CHR, 22 March 2006). The Georgian government has offered Abkhazia considerable autonomy within Georgia, but several attempts to solve the conflict have failed. According to some analysts, one of the problems is that the term "autonomy" has been devalued by the experience of the autonomous republics of the Soviet Union, which actually had very little autonomy. Observers also point out the inconsistency with which the Georgian government pursues its policies, on one hand stressing peaceful resolution, and on the other hand building up its military presence in and around the conflict zones (RFE/RL, 14 August 2007). Meanwhile, the de facto president of Abkhazia has emphasised the importance of relations with Russia rather than with Georgia, while 90 per cent of Abkhazia's population hold Russian passports, the currency is the Russian rouble and many retired people receive Russian pensions.

While Russia officially recognises the territorial integrity of Georgia, relations between both countries have deteriorated sharply over the past year, causing peace negotiations to come to a standstill. In 2006, Russia placed an import embargo on Georgian wine, water, and agricultural products, and closed all communication lines between the two countries, after Georgia arrested four army Russian officers based in Tbilisi on the charge of espionage. Georgia has repeatedly accused Russia of violating its airspace. Tensions between both countries escalated further in 2007, when Georgia set up a pro-Tbilisi administration in the Kodori gorge – a small mountain territory in the only part of Abkhazia not controlled by the de facto breakaway authorities – after Georgian troops had forced Abkhaz militia groups from the area (UNSC, 18 July 2007).

Continuing humanitarian needs of long-term IDPs

During a visit to Georgia in December 2005, the UN Secretary-General's Representative on the Human Rights of IDPs, Walter Kälin, said he was "shocked by the misery" in which some of the 240,000 IDPs were still living (Brookings, 3 May 2006). Humanitarian agencies estimate that close to half of the displaced population live in collective centres, located in former hotels, schools, kindergartens, factories and hospitals. Of a total of 1,683 collective centres throughout the country, 70 per cent do not meet basic living standards, with inadequate access to clean water, unsafe electrical systems and inadequate insulation (Zoidze & Djibuti, 2004). In addition, it is believed that an increasing number of IDPs previously living in private accommodation have moved to collective centres as local families have become more unwilling to host them given their inability to pay rent (Dershem/Gurgenidze/ Holtzman, November 2002). Little information is available on the living conditions of IDPs accommodated with host families.

In general, IDPs, and particularly those living in collective centres, have limited access to land and employment, and are therefore more vulnerable to poverty than the rest of the population (Zoidze & Djibuti, 2004; World Bank, May 2005). According to the UN, IDPs and other vulnerable people still have significant humanitarian needs (UNCT in Georgia, November 2006). One of the most serious causes of IDP vulnerability is related to their emotional conditions, as the conflict and their difficult situation after the conflict have created feelings of dependency, passivity and depression that have hindered their social integration and recovery of economic self-reliance (Sumbadze & Tarkhan-Mouravi, July 2003).

According to a study commissioned by UNDP in 2004, the overall health status of IDPs, particularly those living in collective centres, is worse than that of the rest of the population (Zoidze & Djibuti, 2004). Local observers also point out that due to corruption and lack of information, IDPs in rural areas have very limited – if any – access to the free health services for IDPs. The Abkhaz Ministry of Health in Exile reported that the prevalence of the most frequent diseases among IDPs was more than twice that among the general population.

Of particular concern are vulnerable groups among the displaced, such as elderly, traumatised and disabled people, and female-headed households (CHR, 22 March 2006). Many of the over 100,000 displaced children have specific needs as well. Collective centres where many grow up offer crowded living space, extremely poor sanitary conditions, and inadequate access to health services. As IDPs, they often face social stigma and resulting psychological problems. They also feel isolated, as many attend specialised schools for displaced children, which are generally in very poor condition due to lack of funds (UNICEF/NRC, October 2006; NRC, July 2007).

Return to Abkhazia and South Ossetia

In 2007, the Georgian government and the international community have continued to emphasise the right of return of Georgian IDPs. The Georgian government urged the resumption of work by the Commission for the Return of Internally Displaced Persons and Refugees, which was established under the 1994 Quadripartite Agreement on Voluntary Return of Refugees and Displaced Persons (UNSC, 18 July 2007). Following Abkhazian local and parliamentary elections in early 2007, the European Union stated that elections in this region of Georgia could only be valid after all refugees and IDPs were given the right to a safe, secure and dignified return to their homes (EU, 5 March 2007). In April 2007, UNSC Resolution 1752 stressed "the urgent need to alleviate the plight of refugees and IDPs and the need for a perspective of life in security and dignity in particular for a new generation growing up outside Abkhazia, Georgia", and recalled "the right of return for all IDPs to Abkhazia, Georgia" (UNSC, 13 April 2007). Meanwhile, Abkhazian authorities have maintained that the return of IDPs to Abkhazia – other than to Gali – is impossible (Civil Georgia, 17 February 2007).

In practice, Georgian IDPs have continued steadily to return to the Gali district of Abkhazia over the past few years, though no ethnic Georgians have been able to return to the rest of Abkhazia. The living conditions of the 45,000 returnees remain extremely poor, with deficient housing, limited economic opportunities and a general lack of public services (CHR, 22 March 2006; DRC, February 2006). Many have to rely on relatives in western Georgia to survive, or they continue to work part of the year outside Abkhazia to support themselves. Returning children have to attend school in Russian (NRC, July 2007). Georgian state television reported that some Georgian returnees in Gali were forced by the Abkhazian authorities to hand over part of their hazelnut crops to provide money for the breakaway Abkhazian army (IBC, 20 August 2007). It is not clear to what extent this is a problem, as it depends on the village returnees live in and their relationship with the local Abkhazian police forces. Ethnic Georgian youths from Gali are also reportedly being forcibly recruited into the Abkhazian army (US DOS, 6 March 2007; UNICEF/NRC, October 2006).

According to the UN, some 6,000 refugees and IDPs have returned to South Ossetia since 1997 (UNCT, November 2006). In South Ossetia, returns that did occur after 2002 tended to strengthen the dominance of local majority populations rather than promote multi-ethnic coexistence, as few members of minorities recovered their pre-war properties (OCHA, 15 January 2004). Since summer 2004, very few people have returned home due to the volatile security situation and persisting poor economic conditions.

National response to internal displacement

Since 1996, IDPs have been entitled to certain state benefits according to the “Law of Georgia on Internally Displaced Persons” (most recently amended at 9 June 2006). Nevertheless, for many years, the Georgian government’s political pursuit of their return was so absolute that it denied displaced persons the ability to enjoy their full rights as citizens and lead productive lives in the meantime (Deng, 10 June 2003).

Recently, however, the government has taken steps to improve the living conditions of IDPs. In the early 2000s, IDPs gained the right to vote in local and parliamentary elections in their current residence, rather than in their place of origin, to run for election, and to acquire property while keeping their national IDP status (Brookings, 5 November 2004; OCHA, November 2003). In February 2007, the government adopted a national strategy on IDPs (GoE, 2 February 2007). The “State Strategy for Internally Displaced Persons – Persecuted” deals with all aspects of displacement – housing, employment, social issues (education and health) and legal status. The strategy stresses that integration of IDPs does not hinder their future return to the habitual residence. Thematic working groups involving relevant government agencies, UN agencies, international NGOs and national civil society provided substantial input to draft the strategy. Meanwhile, the ICRC created a database in order to consolidate information on all of Georgia’s collective centres for IDPs (ICRC, 2007).

The strategy serves as a foundation for the action plan which the government intends to implement with anticipated support from the UN and other international partners from 2008. However, as of October 2007, the action plan had been developed but not adopted. Also, it remained to be seen what funds would be available to implement the strategy, and which government structure would be spearheading the implementation. The UN Country Team in Georgia identified the need for strong leadership from the MRA and coordination and cooperation with all relevant parties (including government agencies, civil society, the private sector, and international organisations) as priorities for the implementation of the strategy (UNCT in Georgia, November 2006).

IDPs are eligible to receive extremely modest government benefits from two different systems. Based on their displaced status, IDPs get a monthly allowance administered by the MRA and – for those in collective centres – free electricity and water. Otherwise, following a government decree of 28 July 2006 on social assistance to the general population, IDPs can enrol into a programme of social assistance if they give up their monthly IDP allowances. This programme is managed by the Ministry of Labour, Health and Social Affairs (NRC, 13 September 2007; NRC, July 2007).

Property issues

Because IDPs do not have property rights to their accommodation in collective centres, or legal rights to compensation, they have to rely on the goodwill of the state for compensation. Many have received compensation but have been unable to buy their own apartment and have ended up living with relatives or have used the compensation to rent an apartment (UNICEF/NRC, October 2006). Over the past few years, the government has accelerated the privatisation of hotels and other public buildings housing IDPs. According to local observers, the most successful cases of privatisation have occurred when IDPs have been able to negotiate rental conditions directly with the new owners, often with NGO or government support. In practice, thousands of IDPs have left or been evicted from their residences, sometimes without compensation. In August 2007, for example, 300 people were evicted, reportedly without any compensation, from a hotel in Kakheti Province in eastern Georgia (Prime-News, 15 August 2007).

In 2006, the MRA launched a programme called “My House”, according to which IDPs can register their land titles of their properties in Abkhazia in a state inventory. The Minister of Refugees and Accommodation called on the leaders of the breakaway region to cooperate in this process, but without success (UN Association of Georgia, 7 March 2006). Similarly, a law on restitution of property to the victims of the South Ossetian conflict was passed in December 2006, but had not been implemented as of mid-2007 (ICG, 7 June 2007), and the South Ossetian authorities had rejected the law (UN Association of Georgia, 20 April 2006).

International response

In addition to supporting the development of the national strategy on IDPs, humanitarian organisations have responded to the immediate needs of IDPs and returnees. UNHCR is providing basic shelter assistance to returnees in Gali, where a second programme carried out by NRC and the Danish Refugee Council, with the support of the Swiss Development Agency (SDC) is seeking to create opportunities for income generation, community development and education. Other projects supporting IDPs, by both international and national partners, cover education, legal assistance and micro-credit. A few agencies, including ICRC and the UN's World Food Programme, have continued to provide direct food aid to the most vulnerable IDPs, while other humanitarian organisations have increasingly mainstreamed IDPs into programmes benefiting the general population.

Organisations working in Abkhazia often operate under difficult conditions, facing bureaucratic and security obstacles. International NGOs had to register with the de facto authorities in order to be able to work there. In certain parts of Abkhazia, such as Gali, the volatile security environment has been complicating the provision of humanitarian assistance (UNSC, 18 July 2007).

Donors have shown willingness to work with the current government. In order to improve the response to the humanitarian needs of IDPs, the European Union has allocated funding for food security and income-generation projects to displaced and resident communities, as well as for projects improving the shelter conditions for IDPs in collective centres and for returnees to the Gali district (CHR, 22 March 2006). In 2006, international donors pledged \$10 million at a

conference hosted by Belgium on economic rehabilitation in the zone of the Georgian-South Ossetian conflict (OSCE, 14 June 2006), and the implementation of the programme started in 2007 (ICG, 7 June 2007). Other major donors to programmes benefiting IDPs include SDC and USAID.

CAUSES AND BACKGROUND

Background

Basic facts on Georgia (1995-2006)

- Georgia is multiethnic state made up of 68.8 percent Georgians, 9 percent Armenians, 7.4 percent Russians, 5.1 percent Azerbaijanis, 3.2 percent Ossetians, 1.9 percent Greeks, and 1.7 percent Abkhazians.
- Two regions, Abkhazia and South Ossetia, have taken up arms to gain independence from Georgia
- Since 2004, a new, young and dynamic Government embarked on a very ambitious, fast, and complex, reform process
- Strong economic growth has so far not yet had the desired effect on employment and poverty

Open Society Institute, 1995, pp.14-15:

"The former Soviet republic of Georgia is a country spanning some 26,911 square miles in the Transcaucasus region to the south of the towering Caucasus mountain range. In 1989 the population of Georgia, which then included the regions of Abkhazia and South Ossetia, stood at 5,443,359. The ethnic composition of the republic is situated between Russia to the north, Turkey and Armenia to the south, and Azerbaijan to the southeast is a mosaic depicting its rich and turbulent history. The Black Sea provides Georgia's economic and cultural gateway to the West. Significantly, the Abkhaz region occupies half of this spectacular and fertile coastline.

The ethnic composition of pre-war Georgia was 68.8 percent Georgian (including several regional subgroups speaking distinct languages in addition to Georgian, e.g. Mengrelians, Gurians, Svanetians); 9 percent Armenian; 7.4 percent Russian; 5.1 percent Azerbaijani; 3.2 percent Ossetian; 1.9 percent Greek; and 1.7 percent Abkhazian. Most of the population is of the Christian faith (followers of the Georgian Orthodox church) but Islam is professed by the people of Ajaria in southwestern Georgia, by Azerbaijanis in southeastern Georgia, and by the small population of Kurds.

In the northwestern corner of Georgia lie the 3,300 square miles of snow-capped mountains and subtropical coastline that form the territory of Abkhazia. Prior to the war, the total population of Abkhazia was roughly 537,000, with just under 100,000 people of ethnic Abkhaz origin. Historically, the Abkhaz people allied themselves with the Russian-speaking population (notably Russians and Armenians). Together, these groups comprised roughly half of the region's population. Ethnic Georgians comprised some 46 the population.."

UNDP, 2004:

"Not long after celebrating independence from the Soviet Union in 1991, Georgia had to confront two nationalities within its own borders demanding their own independence. Abkhazia on the north eastern Black Sea coast, and South Ossetia, just two hours drive north from the capital Tbilisi, both declared themselves as separate and sovereign states. The fighting that followed killed about 10,000 people and destroyed many thousands of homes. Due to the sudden large shift in populations, and a continuing political deadlock, the majority of their houses remain uninhabitable to this day."

UNCT in Georgia, November 2006:

"From 1995 onwards, as Georgia tried to establish democracy and rebuild the country, the support for more development-oriented activities gradually increased, reflecting the changes in society and the perceived priorities. Slow progress, corruption, no improvement in people's situation led to a growing sense of discontent, leading to massive popular protest after fraudulent elections in late 2003. The so-called Rose Revolution of November 2003 led to the resignation of the Government and fresh elections.

Rapid reforms – From early 2004 onwards, after the Government change following the Rose Revolution of November 2003, a new, young and dynamic Government, seized the momentum: it embarked on a very ambitious, fast, and complex, reform process. Rapid and sustainable economic development, strengthening democratic governance, and restoring public confidence are the Government's main priorities to achieve its strategic objective: a free, unified, democratic, equitable and prosperous State of Georgia. Georgia also intends to integrate into European and Euro-Atlantic structures. To date, the Georgian Government has reformed laws, policies and practices affecting all aspects of society. The international community, grown somewhat weary of the limited impact of their development efforts and the continued need for massive humanitarian relief in Georgia, responded with renewed interest and substantial support for the reform and rehabilitation programmes of the new Government.[...]

Concerns – However, strong economic growth has so far not yet had the desired effect on employment and poverty. Unemployment grew to 13.8% in 2005. This is partly caused by the layoff of civil servants. Poverty incidence rose from 35.7% during 2004 to 39.4% in 2005. It improved again to 33.6% for the first quarter of 2006, but a firm trend towards poverty reduction still has to be established. GDP growth is expected to slow significantly in 2006, partly as a result of external shocks. The economic embargo by Russia will have negative short and perhaps medium term effects. High inflation causes worries. The positive effects of introducing measures such as the improved revenue collection and privatisation will diminish. Relationships between civil society and the Government are weak, and there are worries about the functioning of the judiciary. Human rights and press freedom remain sensitive issues for the Government but need to be addressed. There is confusion and lack of information with the population on what is happening."

Ethnic divisions in Abkhazia during the Soviet era (1920-1989)

- According to the 1989 Soviet census, ethnic Abkhaz make up 17.8 per cent of the total population of Abkhazia
- Changing Soviet policies have influenced the ethnic and national consciousness of the population in Abkhazia
- In the 1930s, the Soviet Union favored Georgianization policies, but in the 1970s affirmative action policies in favor of the Abkhaz population was instituted
- Cities and regions were formally multi-ethnic but on a village level populations were ethnically concentrated

Dale, 1997, sects.2.1-4.2:

"The Abkhaz Autonomous Republic is named for the Abkhaz people, but the prewar population of Abkhazia was quite mixed. According to the 1989 Soviet census, ethnic Abkhaz were 17.8 per cent of the total population of 525,000 people, while Georgians were 45.7 per cent, Armenians 14.6 per cent, and Russians 14.3 per cent. The picture is more complicated however, since these demographic proportions varied throughout the period of Soviet rule, as the Georgian and

Russian populations increased proportionally at the expense of the Abkhaz. Nevertheless, throughout the twentieth century the population has been multi-ethnic.

Throughout the period of Soviet power, this multi-ethnic population was the target of vacillating Soviet nationalities policies that assigned access to power and resources in accordance with official nationality. After enjoying in the 1920s the status of Unionrepublic, attached by treaty to the Transcaucasian Soviet Federal Socialist Republic, Abkhazia was joined to Georgia in 1931. Beginning in the 1930s, Soviet Georgianization policies closed Abkhaz language schools, changed place names, and guaranteed Georgians key official positions. Following the Second World War, Lavrentii Beria orchestrated resettlement of Georgians into Abkhazia to work in agriculture and the expanding industry, changing the ethnic balance of the population. But in 1978, in response to protests, Soviet authorities instituted "Abkhazization" affirmative action policies that reinstated Abkhaz language instruction and assigned official positions to people of Abkhaz nationality. These policies, with the privileges they conferred or rescinded, were applied to each citizen according to his or her official nationality, a fixed designation inscribed into the passport of every citizen over 16 years of age. Thus, changing Soviet policies over time concretized the idea of nationality for all residents of Abkhazia as an issue associated with competition for advantage.

In addition to official policies, patterns of daily life also worked to shape the ethnic consciousness of the prewar population. Almost all cities and regions were formally multinational. Residents still remaining in Tkvarcheli, for example, proclaim with pride that over fifty nationalities lived in that city of 22,000 people. Sukhumi's role as the designated economic and political centre for all of Abkhazia guaranteed integration at the republican level. Enterprises and state farms needed support from Sukhumi in order to function, and individuals made trips to Sukhumi since it was by far the best place to find many goods and services. At the household level, mixed marriages, particularly Georgian-Abkhaz, were common, and in a culture that emphasized strong ties with extended family members, for many this meant frequent inter-ethnic interaction in their own homes.

Nevertheless, at the level of village life, there was a strong tendency toward nationally compact populations. In some cases this applied to whole villages. In Ochamchire district, for example, the villages Labra and Atara Armianskaia were primarily Armenian-populated, Mokva was primarily Russian, and Kochara was primarily Georgian. In other cases, for example the Georgian population of Dranda, members of one nationality lived compactly within a larger village or town. Furthermore, agricultural and economic organization especially in the countryside tended to coincide with village boundaries. Thus to the extent that nationalities lived compactly, they also tended to be organized economically by nationality. The 500 prewar households of the Armenian town of Shaumianovka, for example, constituted the workforce for a tea and tobacco state farm. And the neighbouring villages Tskenis-Tskali, with a largely Abkhaz population, and mostly Georgian Kochara, had shared a collective farm. But in late Soviet days they separated, forming two more or less mono-ethnic agricultural enterprises.

Thus, Soviet authority institutionalized both macro integration through Sukhumi's economic position, and micro differentiation through employment and residence patterns, creating a patchwork patterned prewar population. Personal level interaction modified this, but the zero sum game of the cultural politics of official nationalities policies worked to reify national difference."

For more information, please see Fédération Internationale des Ligues des Droits de l'Homme (FIDH), 2 June 2005
Ethnic Minorities in Georgia [[Internet](#)]

Six years of on-and-off war (1992-1998)

- Armed conflict between Georgia and the secessionist province of Abkhazia broke out in August of 1992
- Fighting was resumed several times, most recently in May of 1998

Dale, 1997, sects.2.1-4.2:

"[T]he conflict began as a war of laws during the Soviet collapse, capped in July 1992 by a declaration of sovereignty by a partial Abkhaz Supreme Soviet, in turn quickly annulled by the Georgian Government. Some weeks later Georgian troops were ordered into Abkhazia, purportedly to secure transportation and communication lines. Whatever the intentions of the Georgian forces, on 14 August in Ochamchire district south of Sukhumi, Georgian and Abkhaz troops exchanged fire. The same day, Georgian troops entered Sukhumi, and Abkhaz leader Vladislav Ardzinba declared full mobilization. As Georgian troops occupied Sukhumi, the Abkhaz Government fled north to Gudauta, its base for the rest of the war, and the Gumista river just north of Sukhumi became the major front line. Just over one year later, Abkhaz forces took back Sukhumi and pushed Georgian forces back across the Inguri river and out of Abkhazia, an effective Abkhaz victory.

[...]Though the war had an identifiable front line and produced an eventual victor, the fighting was far from orderly. The very first days witnessed not a planned assault but rather random widespread violence in the city of Sukhumi and to the south. In addition to the Gumista front line, the war was also fought in patches in Ochamchire, whose villages had high prewar concentrations of Abkhaz. Lines of battle formed between villages of predominantly Abkhaz or Armenian, and Georgian population. To the east, ethnic Swans defended the Kodori river valley against the Abkhaz, while Abkhaz and many others were effectively blockaded in the mountain city of Tkvarcheli.

[...]The patchwork population and the scattered conduct of the fighting combined to produce a war that was effectively highly localized and highly personal. The story of one informant, a woman from Reka, is a representative illustration. Reka, a village of mixed but primarily Abkhaz population in Ochamchire district, is located a few kilometres up the road from the village Okhurei, which had a largely Swan and Mingrelian population. Throughout Soviet times, the two villages shared one citrus fruit collective farm, and most residents of the two villages worked there. Perhaps not surprisingly, there was a great deal of contact and intermarriage between the two villages. This informant's father is Abkhaz, and her mother Mingrelian, so in keeping with accepted patrilinealism she considers herself Abkhaz. But she also considers herself to be from Okhurei, where her mother's family lived. Most members of her mother's family fought on the Georgian side during the war along the front line that ran between the villages. Those relatives are all now displaced and living in Tbilisi, while she stays in her husband's home in Reka, with portraits on the wall of her husband's Abkhaz brothers who were killed in the war. For this informant and many others, the war was not a political battle for sovereignty, but a highly personal, bloody contest among neighbours and family members."

AI, 1998, p.14:

"In May this year [1998] an increasingly tense situation in the Gali district finally exploded into the worst fighting seen in Abkhazia since the end of the war. An attack by Georgian guerillas on a group of Abkhazian militia in the village of Repi on 18 May 1998 was the catalyst for a large-scale Abkhazian response against an increase in such actions, sparking hostilities which also, for a while, drew in troops from Georgia's Interior and Defence Ministries. Although hostilities subsided after a cease-fire agreement was reached on 25 May, by the time the fighting had died down over 200 people were estimated to have been killed and most of the Georgian population, said to number some 30 to 40,000 people, had once more fled across to the Georgian side of the Inguri

river border. Many left after what has been described as the systematic torching of their villages, in which an estimated 1,400 houses were destroyed."

The Russian Federation: a major actor in the Abkhaz & South Ossetia conflicts (2001-2007)

- Russia was first concerned that an independent Abkhazia could set a precedent for Chechnya, before supporting Abkhazia's independence by invoking Kosovo as a precedent
- The presence of Russian peacekeeping forces has been an issue of discussion, but Russia has made clear that it does not want to change the status quo
- The Russian Federation finally accepted to close down its military bases in Georgia by 2008
- The presence of Chechen refugees in the Pankisi valley is an additional source of tension
- In 2004, massacre in Beslan School, North Ossetian Republic, Russian Federation had further negatively affected the already tense Georgian-Russian relationships
- New Abkhazian "President" elected in January 2005 emphasised importance of relations with Russia
- 90 percent of Abkhazia's population hold Russian passports, the currency is the Russian ruble and a number of retired people receive Russian pensions
- Russia officially recognises the territorial integrity of Georgia, from which Abkhazia became independent after a war in 1991-92 following the break-up of the Soviet Union, but unofficially supports the breakaway Black sea region on its southern border
- Ossetia and Abkhazia straddle the route of the four billion dollar BTC pipeline, which is scheduled to begin pumping Caspian Sea oil to western markets through Turkey
- In early August 2006 two Russian peacekeepers were killed when their convoy carrying money was attacked in Abkhazia
- Since October 2006, all air, sea, land and railway links as well as postal communications have been blocked
- Relations worsened further after claims that Russian army helicopters could have been involved in an attack on upper Kodori Georgia in March 2007, and accusations against Russia concerning the alleged dropping of an unexploded bomb on Georgia territory close to South Ossetia in August 2007

Alertnet, 19 November 2004:

"What is Russia's involvement?"

Both South Ossetia and Abkhazia owe their autonomy largely to Russian backing.

Russia provides their inhabitants with Russian passports and residency documents, allowing free movement into Russia.

Through them, the Abkhaz and Ossetians receive Russian pensions, which are much higher than pensions from the Georgian state. Georgians allege they receive military training and equipment. In addition to its peacekeeping bases in South Ossetia and Abkhazia, Russia maintains military bases in Georgia proper. Some government officials are direct imports from Russia. The currency is the Russian ruble, and there are Russian flags and posters of Russian President Vladimir Putin everywhere.

Why is Russia doing this?

Mostly for geopolitical reasons. Many regional experts claim they provide Russia with a foothold south of the Caucasus mountains. At the same time, Russia is concerned about separatist movements in its federation. If Abkhazia or South Ossetia successfully became breakaway

states, Chechnya's calls for independence could be validated. However, Russia apparently does not want to see Abkhazia and South Ossetia fall back under Georgian sovereignty. Instead, it avoids officially recognising Abkhazia and South Ossetia as independent republics but provides other types of support.”

ICG, 18 January 2007:

“Russia’s interests have evolved over the fifteen years, as have bilateral relations. Moscow, committed as it is to protecting its own interests in its near abroad, has never been fully neutral. In the mid-1990s, it seemed genuinely eager to stop the fighting and facilitate a status agreement. At that time, it was concerned that an independent Abkhazia could set a precedent for its own volatile North Caucasus, especially Chechnya. It also has always wanted to be recognised as a deal maker and its sole guarantor.

The significant deterioration in Russian-Georgian relations since mid-2004 has negatively affected the peace process. Georgia accuses Russia of de facto annexation of its territory through distribution of pensions and passports to Abkhaz residents, financial support and training of the Abkhaz military, statements in support of Abkhaz independence and investment in and trade with the entity.⁴⁵ In 2006 the Kremlin began talking about Kosovo as a precedent for international recognition of Abkhazia. In large part due to this, Tbilisi has left the Russian-led process. The last Sochi meeting (in Moscow) was in May 2006.”

IHF, 28 May 2002, pp. 142-143:

"In 2001 the Russian Federation continued to extend moral, political, financial and military support to Abkhazia. It openly showed its support to Abkhaz secessionists during the UN sponsored negotiations, and hindered the publication of the document on the status of Abkhazia, prepared by the Group of States Friends of Georgia.

[...]

Several large demonstrations of IDPs were held in Georgia, demanding the withdrawal of Russian peacekeeping troops from the conflict zone and possible deployment of Ukrainian or any other troops under the UN mandate (Ukraine has officially agreed to this possibility).

[...]

Russian authorities continued the practice of granting Russian citizenship to persons living in Abkhazia.

[...]

The total number of Chechen refugees in Georgia was approximately 7,000 at the end of 2001. They mainly lived in eight villages of Pankisi gorge with families of the local Kist population which is ethnically related with Chechens. [...]

In the last years, many businessmen who have been kidnapped in Georgia have been brought to Pankisi gorge and held there, and the location was also a centre of drug trafficking, in both of which some Georgian officials were believed to be in-volved. However, Georgian authorities accused Chechen refugees of involvement in criminal acts and therefore demanded for their deportation to Russia. Russia, again, accused Georgia of sheltering Chechen criminals and in this way – plus citing the international ant-terrorist campaign – tried to justify its bombing the territory of de-manding Georgia to accept the deployment of Russian Special Forces in Georgia.”

RFE/RL, 31 March 2006:

“Russia has agreed on the practical details of its military pullout from Georgia. Envoys from Moscow and Tbilisi today signed two documents to that effect in the Russian Black Sea resort of Sochi. The agreements confirm a pledge given by Russia last year that the withdrawal would be completed within months.

Under the terms of a preliminary agreement reached last year (May 30, 2005) in Moscow, Russia had pledged to vacate the two former Soviet military bases it retains in Georgia by the end of 2008."

IWPR, 6 September 2007:

"The Georgian authorities are stepping up a campaign against Russian peacekeepers on their territory, highlighting a recent series of incidents in which they say the soldiers have abused the local population.

The most recent row has been over South Ossetia, where two Russian soldiers serving in the North Ossetian battalion of the joint peacekeeping force were detained by the Georgians last week."

AFP, 12 February 2005:

"The newly elected "president" of the Russian-backed breakaway Georgian republic of Abkhazia vowed to continue the fight for independence at his inauguration Saturday.

"I promise I will continue to fight for the freedom of our nation, strengthening of our state and for the inviolability of our independence," Sergei Bagapsh said according to a transcript provided by his office.

The former businessman was elected president on January 12 [2005] with 90 percent of votes after an earlier election in October was annulled because it was not supported by Russia.

A compromise deal between Bagapsh and the pro-Russia candidate in the October election, Raoul Khadjimba, now vice-president, gained Moscow's support.

Bagapsh, in his speech, emphasised the importance of relations with Russia and thanked Russian President Vladimir Putin for his support. An estimated 90 percent of Abkhazia's population hold Russian passports, the currency is the Russian ruble and a number of retired people receive Russian pensions.

[...]

Russia officially recognises the territorial integrity of Georgia, from which Abkhazia became independent after a war in 1991-92 following the break-up of the Soviet Union, but unofficially supports the breakaway Black sea region on its southern border.

Bagapsh also stated the objective of normalising relations with Georgia without providing any details.

Neither Georgia nor the international community has recognised Abkhazia.

Georgian President Mikhail Saakashvili said on January 30 he was ready to resume talks with the separatist republic. He pledged when elected a year ago to reunite Georgia with Abkhazia and South Ossetia before the end of his presidency.

On January 28 the UN Security Council extended by six months a small UN ceasefire monitoring force established in Georgia in 1993.

Ossetia and Abkhazia straddle the route of the four billion dollar BTC [Baku-Tbilisi-Ceyhan] pipeline, which is scheduled to begin pumping Caspian Sea oil to western markets through Turkey later this year.

Western governments have recently stepped up their efforts to find settlements for the simmering regional conflicts, which have led to instability in the region and inflate the security costs for the BP-led pipeline project.”

Reuters, 3 August 2006:

“Two Russian peacekeepers were killed when their convoy carrying money was attacked in the rebel Georgian region of Abkhazia, local officials were quoted as saying on Thursday.

The killing came at a time of high tensions between Georgia and Russia over the Black Sea enclave. Moscow has warned Tbilisi off any military attempt to regain control over the region.”

ICG, 18 January 2007:

Another obstacle to conflict resolution is the souring of Georgian-Russian relations. Russia banned imports of Georgia’s agriculture products in December 2005. Three months later, it did the same to wines and brandies. This was a significant economic blow, as Russia had taken 87 per cent of the country’s wine, worth \$63 million. Moscow also stopped mineral water imports in early May 2006 and in July closed the only legal border crossing, at Zemo Larsi, citing repairs. All air, sea, land and railway links as well as postal communications were blocked from 3 October [2006]. This last measure occurred after Tbilisi arrested four Russian officers for alleged spying on 27 September.

Five days later, in a humiliating public ceremony, they were handed over to the Organisation for Security and Cooperation in Europe (OSCE), which transferred them to a Russian airplane. In reaction, Russia stopped issuing visas to Georgians, recalled its ambassador for consultations and launched a “partial evacuation” of its citizens. Since October it has deported over 1,000 Georgians, two of whom died in the process. At the same time there were widespread reports of intimidation of Georgians in Russia, and Gazprom doubled the 2007 prices of its gas to \$235 per 1,000 cubic meters.”

Swiss Peace Foundation, August 2007:

“Relations between Georgia and Russia worsened further after the publication of the last UNOMIG report issued on 12 July [2007]. The report suggested, but did not explicitly claim, that Russian army helicopters could have been involved in an attack on Tbilisi controlled upper Kodori Gorge on 11 March 2007. Soon after, the Russian Foreign Ministry stated that “it is clear which side has been interested in the incident. And everything points to Georgia, which before and after the incident, purposefully was trying to force tension in the upper Kodori Gorge.[...]”

The recent accusations from Tbilisi directed at Russia concerning the alleged dropping of an unexploded bomb on Georgian territory close to South Ossetia on 6 August [2007] led to a new all time low in bilateral relations.”

See also:

Pravda, 2 Oct 2006, Russia launches economic blockade of Georgia, puts troops on high alert [[Internet](#)]

Institute for War and Peace Reporting (IWPR), 5 Mar 2006
Georgia-Russian relations at boiling point [[Internet](#)]

EurasiaNet, 23 March 2006, Is Russia looking for a fight with Georgia? [[Internet](#)]

Europe's role in solving the Abkhazian and South Ossetian conflicts (2006-2007)

- Abkhazia held local and Parliamentary elections early 2007
- The European Union stated that elections in this region of Georgia could only be valid after all refugees and IDPs were given the right to a safe, secure and dignified return to their homes

ICG, 20 March 2006:

"Instability in the South Caucasus is a threat to European Union (EU) security. Geographic proximity, energy resources, pipelines and the challenges of international crime and trafficking make stability in the region a clear EU interest. Yet, the unresolved Nagorno-Karabakh, Abkhazian and South Ossetian conflicts have the potential to ignite into full-fledged wars in Europe's neighbourhood.[...]

Since 2003 the EU has become more of a security actor in the South Caucasus, particularly in Georgia. It has appointed a Special Representative for the South Caucasus, launched a European Security and Defence Policy (ESDP) mission, and employed the Commission's Rapid Reaction Mechanism to support post "Rose Revolution" democratisation processes. It has included Armenia, Azerbaijan and Georgia in the European Neighbourhood Policy (ENP) and started Action Plan negotiations due to end mid-2006. The Commission has allocated some €32 million for economic development confidence building programs in Georgia, and it has cooperated closely with the UN and the Organization for Security and Cooperation in Europe (OSCE)."

EU, 5 March 2007:

"The European Union reiterates its full support for the territorial integrity of Georgia within its internationally recognized borders and emphasises that it does not recognise the legitimacy of the so-called "Parliamentary elections" held in Abkhazia, Georgia, on 4 March 2007 and of the local elections held on 11 February 2007.

The European Union holds the view that elections in this region of Georgia can only be valid after all refugees and internally-displaced persons are given the right to a safe, secure and dignified return to their homes."

See also:

EU, EU/Georgia Action Plan, 2007 [[Internet](#)]

RFE/RL, 14 November 2006, EU: Armenia, Azerbaijan, and Georgia sign accords [[Internet](#)]

European Union (EU), 20 Jul 2006, Declaration by the Presidency on behalf of the European Union on recent developments in Georgia - Abkhazia and South Ossetia [[Internet](#)]

European Union (EU), 21 Feb 2006

Declaration by the Presidency on behalf of the European Union on recent developments in Georgia-South Ossetia [[Internet](#)]

Cooperation between de facto authorities in Abkhazia and in South Ossetia (2006)

UN Country Team in Georgia, 28 February 2006:

"On 15 February, the de-facto Parliament of breakaway Abkhazia ratified an agreement on friendship and cooperation between Abkhazia and South Ossetia, which was signed by Abkhaz and South Ossetian leaders Sergey Bagapsh and Eduard Kokoity, respectively, in Tskhinvali last September. According to the agreement, the sides are committed to render mutual assistance in

cases of emergency situations, in case peace and stability are threatened on the territories of one of the sides.”

Peacekeeping mandates: Russian peacekeepers asked to withdraw (2006)

- Georgian parliament passed resolution in July 2006 requesting the government to expedite the withdrawal from South Ossetia and Abkhazia of the Russian peacekeeping contingents that have been deployed there since 1992 and 1994 respectively
- The 500 Russian peacekeepers in South Ossetia are part of a force that also includes equal numbers of Georgian and Ossetian servicemen
- In Abkhazia, by contrast, the Russian peacekeeping force is far larger (1,600 men), and is not complemented by contingents from any other country

RFE/RL, 19 July 2006:

“The Georgian parliament passed on July 18 [2006] by 144 votes (of a total of 235, and in the absence of opposition deputies) a resolution calling on the government to take immediate measures to expedite the withdrawal from South Ossetia and Abkhazia of the Russian peacekeeping contingents that have been deployed there since 1992 and 1994 respectively.

At the same time, it tasks the government with securing pledges from the international community to deploy alternative, international peacekeeping contingents and with convincing world public opinion of Tbilisi's continuing commitment to resolving its conflicts with Abkhazia and South Ossetia by exclusively peaceful means.[...]

Different Peacekeepers

There are marked differences between the two peacekeeping operations. The 500 Russian peacekeepers in South Ossetia are part of a force that also includes equal numbers of Georgian and Ossetian servicemen. That force was deployed in 1992 following the signing of an agreement between the then leaders of Georgia and Russia, Eduard Shevardnadze and Boris Yeltsin, that ended two years of sporadic low-level hostilities between informal Georgian and South Ossetian militias. The different national contingents patrol the conflict zone separately, however, hence the Georgian perception that the Russians selectively extend protection to Ossetian civilians and to Ossetian criminal clans engaged in smuggling, while ignoring Ossetian reprisals against the unrecognized republic's minority Georgian population.

From that angle, the question arises why, if Georgia's overriding concern is the security of the Georgian population of South Ossetia, rather than simply scoring political points, the Georgian authorities have not long ago raised with the OSCE the possibility of introducing mixed-nationality patrols? There is a recent precedent for doing so: following the fall of Grozny to the Chechen resistance forces in August 1996, Russian military police and Chechen militants patrolled the city jointly.

Whether Georgia is legally empowered unilaterally to demand the withdrawal of the Russian peacekeepers from South Ossetia is a matter of debate. In the event that Moscow agreed to their withdrawal, it should not prove too difficult for the international community to find a contingent of 500 men to replace them. Such acquiescence is, however, unlikely, given that up to 90 percent of the South Ossetian population have acquired Russian passports, and thus could argue they are entitled to Russian "protection."

In Abkhazia, by contrast, the Russian peacekeeping force is far larger (1,600 men), and is not complemented by contingents from any other country. (Ukraine has offered to send peacekeepers to Abkhazia under the aegis of the UN, but not of the CIS.) Even though UN

Secretary-General Kofi Annan's outgoing special representative for Abkhazia, Ambassador Heidi Tagliavini, last month lauded the Russian presence, together with that of the unarmed UN Observer Mission in Georgia, as "the sole deterrent to prevent the situation spiraling out of control," Tbilisi repeatedly accuses the Russian peacekeepers of conniving with Abkhaz criminal gangs and of failing to protect Georgians who have returned to the homes in Abkhazia's southernmost Gali Raion from which they fled during the fighting of 1992-93."

See also:

EurasiaNet, 3 Mar 2006, Georgian peacekeepers in South Ossetia: a dangerous move [[Internet](#)]

UNOMIG's role in regard to IDPs and returnees in Abkhazia (2006-2007)

- UNOMIG was originally established in August 1993 to verify compliance with the 1993 ceasefire agreement
- One of the purposes of UNOMIG, as enshrined in its mandate, is to contribute to conditions conducive for the return of refugees and displaced persons
- In 2007, UNOMIG continued its efforts to maintain stability in the zone of conflict and promote the resumption of dialogue between the Georgian and Abkhaz sides, including on IDP return

CHR, 22 March 2006:

"UNOMIG was established in 1993 by Security Council resolution 858 (1993) to observe the ceasefire and contribute to a comprehensive political settlement of the conflict. The Special Representative of the Secretary-General for Georgia (SRSG) acts simultaneously as head of UNOMIG and as chairperson of the political peace process. One of the purposes of UNOMIG, as enshrined in its mandate, is to contribute to conditions conducive for the return of refugees and displaced persons. In the Gali district, UNOMIG tracks and compiles crime statistics and follows up with the de facto authorities where possible. Further, it is tasked with observing the work of the Commonwealth of Independent States (CIS) Peacekeeping Forces who, according to the Quadripartite Agreement, are mandated, inter alia, to promote the safe return of refugees and IDPs.[...]

UNOMIG police work with local law enforcement authorities to strengthen their abilities to fight crime, which is a major deterrent to return. The Security Council has called for the deployment of United Nations police on both sides of the ceasefire line. While the Abkhaz de facto authorities assured the Representative that this issue was still on their agenda, the lack of political will to comply with the Security Council resolutions has been delaying their implementation until the time of writing."

UNSC, 18 July 2007:

"During the reporting period, UNOMIG continued efforts to maintain peace and stability in the zone of conflict. It also sought to remove obstacles to the resumption of dialogue between the Georgian and Abkhaz sides in the expectation that cooperation on security, the return of internally displaced persons and refugees, economic rehabilitation and humanitarian issues would facilitate meaningful negotiations on a comprehensive political settlement of the conflict, taking into account the principles contained in the document entitled "Basic Principles for the Distribution of Competences between Tbilisi and Sukhumi", its transmittal letter (see S/2002/88, para. 3) and additional ideas by the sides."

RFE/RL, 31 January 2007:

"Ever since the deployment of the UN Observer Mission in Georgia (UNOMIG) in 1993, the UN secretary-general has reported regularly -- four times a year -- to the Security Council on its

activities and requested periodically that its mandate be extended. The Security Council then duly enacts a resolution extending UNOMIG's mandate, generally for a period of six months.”

See also United Nations Security Council, 26 Jun 2006, Report of the Secretary-General on the situation in Abkhazia, Georgia (S/2006/435) [[Internet](#)]

see also: United Nations Observer Mission in Georgia (UNOMIG), 2 Nov 2005
Georgia: The Gali sector of UNOMIG [[Internet](#)]

For more information, consult the website of UNOMIG (<http://www.unomig.org>) [[Internet](#)]

National and international initiatives to bring peace to Abkhaz-Georgian conflict (1994--2007)

- An agreement on ceasefire and separation of forces was signed in Moscow in 1994
- The parties agreed to the deployment of a peacekeeping force of the Commonwealth of Independent States to monitor the agreement
- The UN Military Observer Mission in Georgia (UNOMIG) also monitors the agreement
- An agreement on the return of refugees and IDPs was signed in 1994 in Moscow
- In 1997, the Coordinating Council of the Georgian and Abkhaz sides was created, chaired by the Special Representative of the UN Secretary General (SRSG)
- The Council comprises three working groups, including one devoted to IDPs and refugees
- The UN has led efforts of the international community towards a peaceful settlement of the Georgian-Abkhaz dispute
- Countries supporting UN peace efforts in Georgia, "The Group of Friends for Georgia", tried several times to revitalize the settlement process
- Georgian and Russian Presidents met in Sochi in March 2003, and agreed on the synchronized restoration of railroad links between Georgia and Abkhazia and IDP return
- In July 2003, the UN Security Council endorsed the deployment of a civilian police force in return areas in Abkhazia and western Georgia
- Since coming to power in 2004, Georgian President Mikheil Saakashvili has made the restoration of Georgia's territorial integrity a priority of his presidency
- Abkhaz side continued to invoke its 1999 declaration of independence as an obstacle to any negotiations regarding its status
- In December 2004, the Group of Friends reaffirmed in Geneva the importance of the return of refugees and IDPs, and acknowledged the key roles of UNOMIG and UNHCR in that regard
- Return of refugees and IDPs, predominantly to the Gali district, has been at the centre of the peace process
- In July 2006, Georgian President Saakashvili moved to set up a pro-Tbilisi Abkhaz administration in a small mountain territory next to breakaway Abkhazia, raising fears of a possible renewed conflict according to many analysts
- Group of Friends meeting in June 2007
- Georgian President has offered Abkhazia wide autonomy within Georgia, but several attempts to start negotiations have failed
- In May 2007, the GoG outlined its approach to settle internal conflicts, which included direct dialogue between the parties to the conflict; mediators; international policing; the safe and dignified return of IDPs and refugees; and the revision of the legal framework for conflict resolution

International initiatives

UN OCHA, 20 January 2004:

"The 1992-1993 civil war in Abkhazia led to a displacement of over 250,000 persons and devastation of this once thriving agricultural centre and tourist destination squeezed between the Black Sea and the Caucasus mountains. In 1994 the Georgian and Abkhaz sides, under the auspices of the United Nations (UN) and with the facilitation of the Russian Federation, signed the Moscow Agreement on the separation of forces, bringing two years of fighting to a halt. The Commonwealth of Independent States Peace Keeping Force (CISPKF) has been deployed to monitor compliance with the Agreement, with the United Nations Observer Mission in Georgia (UNOMIG) monitoring the implementation of the Agreement and observing the operation of the CISPKF.

A Quadripartite Agreement on Voluntary Return of Refugees and Displaced Persons was also signed in 1994 by the Abkhaz and Georgian sides, the Russian Federation, and the United Nations High Commissioner for Refugees (UNHCR). This agreement, however, resulted at that time in a low level of official return of IDPs to the Gali District."

ICG, 18 January 2007:

"Russia and the UN have taken turns as the leading force behind negotiations. Tbilisi has increasingly argued, however, that Moscow is a participant in the conflict, not an honest broker, while the Abkhaz question the impartiality of the UN and the Western members of the Group of Friends of the Secretary-General. Since 1997, the sides have met within the UN-chaired Geneva Peace Process,¹⁷ which is facilitated by Russia, with the participation of the OSCE, and observed by the Group of Friends, including France, the UK, the U.S., Russia and Germany.¹⁸ The UN has only provided good offices and facilitation, not tried to arbitrate or offer strong incentives or disincentives to influence the sides.

With about 1,500 peacekeepers from the post-Soviet Commonwealth of Independent States (CIS), themselves monitored by some 120 UN observers, it does not have the tools to enforce a peace.[...]

To advance negotiations, the UN established the Coordinating Council in 1997, intended to be a flexible instrument which would meet at least every two months and in emergency situations could be convened immediately. It was to map out areas where progress was possible on practical issues, until a comprehensive political settlement could be achieved. Three working groups were set up: on the permanent non-resumption of hostilities and security problems; refugees and IDPs; and economic and social problems. The UN succeeded in internationalising the process by including the Group of Friends and the OSCE. It also held three high-level meetings on confidence building measures, in Athens (October 1998), Istanbul (June 1999) and Yalta (March 2001). The latter produced the Yalta Declaration, including an ambitious "Program of Action on Confidence Building", which was never implemented. Whenever meaningful progress appeared close, events on the ground intervened, especially in 1998 and 2001.[...]

The Group of Friends became increasingly influential in 2003-2006, when direct talks were largely suspended.[...]

The Group drafts all Security Council resolutions and presidential statements on Georgia. These resolutions are often based on internal compromises between Russia and its Western members."

CHR, 22 March 2006:

« The United Nations has since 1993 led efforts of the international community, including diplomatic efforts of the Group of Friends of the Secretary-General (France, Germany, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America), towards a peaceful settlement of the Georgian-Abkhaz dispute. Return of refugees and IDPs, predominantly to the Gali district, has been at the centre of the peace

process. In a variety of resolutions, the Security Council has stressed ‘the urgent need for progress on the question of the refugees and internally displaced persons’ and called on both sides to display a “genuine commitment to make returns the focus of special attention and to undertake this task in close coordination with UNOMIG and consultations with UNHCR and the Group of Friends’.”

OCHA, 20 January 2004:

"Unanimously adopting resolution 1494 (2003), the [UN Security] Council also endorsed the Secretary-General's recommendation to add a civilian police component to the [UNIMIG] Mission to strengthen its capacity to carry out its mandate and, in particular, to contribute to the creation of conditions conducive to the safe and dignified return of IDPs and refugees. Civil police was planned to work closely with Georgian and Abkhaz sides in building trust and cooperation in areas of law enforcement, good governance and protection of human rights, and more concretely helping the creating safer conditions for the return of IDPs in Gali District.

UNOMIG, 29 June 2007:

From 27 to 28 June 2007, senior representatives of the Group of Friends of the Secretary-General (France, Germany, the Russian Federation, the United Kingdom and the United States) met in Bonn, Germany under the Chairmanship of the United Nations Under-Secretary-General for Peacekeeping Operations. Representatives of the Georgian and Abkhaz sides and the Special Representative of the Secretary-General for Georgia participated in the meeting.

This meeting was convened out of concern over tensions in the zone of conflict, the absence of dialogue between the sides and the need to promote the confidence building measures presented to the sides at the last Geneva meeting, which were subsequently endorsed by the United Nations Security Council. [...]

The United Nations and the Group of Friends reiterated the critical importance they attach to the preservation of both stability and dialogue. They welcomed the agreements reached by the sides in this respect, and encouraged the parties to seek vigorously the creation of basic levels of trust between the sides and their respective communities. They undertook to continue to follow closely the implementation of the commitments and assurances given by the two sides in this regard.”

ICG, 18 January 2007:

“But the sharp deterioration in Russian-Georgian relations and a Georgian military adventure in the Kodori valley have contributed to a freeze in diplomacy over Abkhazia since mid-2006.”

Georgian government plans for Abkhazia - analysis

IWPR, 25 May 2006:

“New life was breathed into the Abkhazian peace process this week when Georgian presidential adviser Irakli Alasania personally handed a peace plan to the Abkhaz authorities.

The plan presented by Alasania, together with an Abkhaz plan which President Sergei Bagapsh handed over in Tbilisi on May 15, represent the most detailed documents to be presented since the conflict ended 12 years ago with Abkhazia claiming independence from Georgia – a claim still unrecognised by the outside world.[...]

Alasania, who is the Georgian president's adviser on Abkhaz conflict resolution, told the coordinating council that his government's priority was for the displaced Georgians – numbering about 250,000 – to go back to Abkhazia.”

AFP, 28 July 2006:

“Georgian President Mikheil Saakashvili's move to set up a pro-Tbilisi Abkhaz administration in a sliver of mountain territory next to breakaway Abkhazia has raised fears of a possible conflict, diplomats and an analyst said Friday.

'Georgian authorities are trying to decide the problem ... by force,' Russian Foreign Minister Sergei Lavrov was quoted by ITAR-TASS as saying during a visit to Malaysia. Saakashvili announced late Thursday that Abkhazia's government-in-exile would be based in the Kodori Gorge district, saying he had taken a "fundamental political decision" to exert control over separatist Abkhazia.

'Abkhazia's legitimate government will function and carry out its jurisdiction and tasks from the territory of the Kodori Gorge,' he said.

'For the first time since 1993, Georgia will exercise constitutional order in the territory of Abkhazia.'

The announcement came as Georgian forces continued an operation to disarm a local militia in the volatile district, the only area within the Abkhazian region's Soviet-era borders that is mostly under Georgian control."

RFE/RL, 14 August 2007:

"Since coming to power in 2004, Georgian President Mikheil Saakashvili has made the restoration of Georgia's territorial integrity a priority of his presidency. He has often stressed the need to resolve the conflict by peaceful means, and has offered Abkhazia wide autonomy within Georgia.[...]

But Georgia's initiatives have proven to be virtually fruitless. Several attempts to start negotiations have failed, and the future status of Abkhazia remains unresolved.[...]

Some observers believe one reason for the failure to resolve the crisis is because Abkhazia has become a factor in the difficult relations between Russia and Georgia, with Russia backing the de facto Abkhaz government. Georgia's gestures offering Abkhazia wide "autonomy" also seem problematic to some. RFE/RL regional analyst Liz Fuller is among them.

'Every single peace proposal that President Saakashvili comes up with is based on the term 'autonomy.' And -- in the post-Soviet context -- the very term 'autonomy' is absolutely devalued, because the autonomous republics and the autonomous oblasts in the Soviet Union had absolutely no autonomy at all,' Fuller says. 'Thus, the autonomy is not what the Abkhaz want.' But the key problem, according to Fuller, is the inconsistency with which the Georgian government pursues its policies -- stressing the importance of peaceful conflict resolution on the one hand, and conducting what she describes as a "huge military build-up" on the other."

Abkhazian position

ICG, 18 January 2007:

"Abkhazia insists on recognition of independence and says it is establishing democratic values and rule of law but the international community unanimously considers it part of Georgia. Tbilisi sees inability to regain full control as impeding state-building, national security and economic development. Over 200,000 IDPs from Abkhazia live under harsh conditions in Georgia proper. Years of stalemate have solidified each side's distorted and negative image of the "other". The Abkhaz have lived under economic restrictions since 1996 with little opportunity to trade or travel; they continue to fear Georgia's army and a new war. The entity's dependence on Russia has grown as its ability to forge links with other states has been constrained."

UNSC 17 January 2005, para.3, 7:

"On 13 and 14 December [2004], the high-level representatives of the Group of Friends convened in Geneva under the chairmanship of the Under-Secretary-General for Peacekeeping Operations.[...]

The Friends emphasized the importance of the return of refugees and internally displaced persons and acknowledged the key roles of UNOMIG and the Office of the United Nations High Commissioner for Refugees (UNHCR) in that regard.”

UNSC, 18 July 2007:

“In May and June [2007], several meetings were held in Tbilisi and Moscow with senior representatives of the Group of Friends and the European Union Special Representative for the South Caucasus.

The Mission facilitated several visits for representatives of the Group of Friends and officials of the Organization for Security and Cooperation in Europe (OSCE) to the zone of conflict and Sukhumi.[...]

In spite of the expectations raised by the high-level meeting of the Group of Friends chaired by the United Nations and held on 12 and 13 February [2007] at Geneva (see S/2007/182, paras. 5-7), dialogue between the sides remained suspended during the period under review. The Abkhaz side continued to link the resumption of dialogue, including on non-technical issues, to preconditions, such as the withdrawal of Georgian armed personnel and the Government of the Autonomous Republic of Abkhazia from the upper Kodori Valley, which was categorically ruled out by the Georgian side.[...]

In May [2007], the Government of Georgia outlined its overall approach to the settlement of its internal conflicts, which included direct dialogue between the parties to the conflict; involvement of impartial mediators; international policing; the safe and dignified return of internally displaced persons and refugees; and the revision of the legal framework for conflict resolution. The Abkhaz side continued to oppose the modification of existing formats.[...]

Reiterating the critical importance of the return of internally displaced persons to Abkhazia, Georgia, the Georgian side urged the resumption of work by the Commission for the return of internally displaced persons and refugees, which was established under the 1994 Quadripartite Agreement on Voluntary Return of Refugees and Displaced Persons.”

See also:

EurasiaNet, 19 March 2007, Georgia: Kodori attack - fresh cause for conflict [[Internet](#)]

Heightened tensions related to Georgian/South Ossetian conflict (2006-2007)

- To nudge the Ossetians into choosing reintegration, Georgia has developed repatriation legislation for displaced Ossetians and millions of dollars in economic assistance from international donors

Christian Science Monitor, 1 August 2006:

“The debate over South Ossetia's status has erupted in recent weeks following the first signs of renewed conflict between Georgia and Russia. One high-level Ossetian leader was assassinated and another was targeted in a series of attacks both the Georgians and Russians blamed one another.

A day after Georgian State Minister for Conflict Resolution Giorgi Khaindrava - the only member of Georgian leadership whom the Ossetian government says it trusted - was fired, Georgia's parliament issued a resolution calling for the removal of 1,000 Russian peacekeepers in South Ossetia.

The move enraged Moscow, which issued a statement calling the resolution 'a provocative step aimed at fomenting tensions.'[...]

A 1992 ceasefire remained in place until the summer of 2004, when Georgia took control of a Georgian-Ossetian trading post in a bid to clamp down on smuggling, angering South Ossetians who draw much of their income from the market.

'Everything that was achieved during the political negotiations from 1992 to 2004 was brought to zero,' says South Ossetia's Minister of Foreign Affairs Murat Dzhioev.

Many South Ossetians see the region as part of Russia and, indeed, would likely join with the Russian region North Ossetia and have to rely heavily on Russian support if it broke from Georgia. South Ossetians already carry Russian passports, Russian leaders have been "recommended" for Ossetian posts, and government workers' salaries draw on Russian coffers. The Ossetian leadership says that Russia remains their best bet for protection. 'We understand that politics is mainly interests, but still Russia is a country which ensures some security for us against Georgia,' says Irina Gagloeva, chairwoman of South Ossetian Committee on Information and Media.

To nudge the Ossetians into choosing reintegration, Georgia has developed repatriation legislation for displaced Ossetians and millions of dollars in economic assistance from international donors."

See also:

OSCE, 2 July 2007, OSCE Chairman is deeply concerned about 'worrying new development' in Georgian-Ossetian conflict zone [[Internet](#)]

ISN, 27 November 2006, Maneuvering in Abkhazia, South Ossetia, [[Internet](#)]

OSCE, 13 November 2006, Referendum in South Ossetia region not recognized and unproductive, OSCE Chairman says [[Internet](#)]

Georgian government plans foresee broader autonomy for South Ossetia (2005-2007)

- Plan calls for the establishment of a special law on property restitution -- that will make generous payments to victims of the conflict, and the right for IDPs and refugees to return, backed up with financial assistance
- Plan was immediately rejected by South Ossetian leadership
- Georgian government revived the plan in 2007

UN Country Team in Georgia, 31 January 2005:

"On 26 January, Georgian President Mikheil Saakashvili presented a vision for resolving the South Ossetian conflict at the Parliamentary Assembly of Council of Europe (PACE) session in Strasbourg. As per the President's statement, if during the Soviet period South Ossetia enjoyed a moderate form of autonomy, today, under the new plan, it will enjoy a distinctly broader form. The Plan envisages a constitutional guarantee of Autonomy that includes the right to freely and directly elected local self-governance, including an Executive Branch and the Parliament of South Ossetia. At the same time, Ossetian people's voices will be present in the Georgian Parliament. The Plan allows the authorities of South Ossetia to determine and control their economic policies, according to local needs and priorities.

The Plan calls for the establishment of a special law on property restitution -- that will make generous payments to victims of the conflict. For those who were forced to flee, this initiative guarantees the right to return, backed up with financial assistance. In recognition of the difficult and not very smooth road to peace, it is suggested to establish a 3-year transitional period. During this period, mixed Georgian and Ossetian police forces will be established to guarantee public order and freedom of movement, Ossetian forces will gradually integrate into Georgian Armed Force and confidence will be restored.

President called on the Council of Europe to act as a peace facilitator, the OSCE as peace monitor, the EU as peace guarantor, the US as peace supporter and the Russian Federation as a welcomed and constructive partner for peace, and expressed his hope that people of South Ossetia and the international community will join their efforts and lend their active support to the new Peace Initiative.

To endorse this Peace Initiative, a special commission has been set up to work over the status of South Ossetia chaired by the Georgian Justice Minister Giorgi Papuashvili. Officials, as well as representatives of the non-governmental organizations and experts will be members of the commission. This commission will work over drafting the legal base of the proposals which were voiced by President Mikheil Saakashvili at the Parliamentary Assembly of Council of Europe."

Under the plan:

EurasiaNet, 27 January 2005:

"The South Ossetian language would also be granted official status and central government funds would be committed for as yet unspecified use in preserving South Ossetian culture."

AFP, 26 January 2005:

"President Mikhail Saakashvili of Georgia, seeking to reunite his country, Wednesday offered autonomy to the separatist republic of South Ossetia but the offer was immediately rejected by the Ossetian leadership."

For more information on the plan, please see Government of Georgia, 26 Jan 2005 Remarks of the President of Georgia H.E. Mikheil Saakashvili to the Parliamentary Assembly of the Council of Europe [Reference below]

Plan was revived in 2007:

Civil Georgia, 25 July 2007:

Tbilisi has launched, as it put it, "an all-inclusive process" of defining South Ossetia's status – for the second time in two years. Secessionist authorities in Tskhinvali, as expected, have already denounced it as 'illegal' and 'absurd.' [...]

Tbilisi laid out its vision over South Ossetia status for the first time in 2005 in a document called Initiatives of the Georgian Government with Respect to the Peaceful Resolution of the Conflict in South Ossetia. Although the document has since gathered dust, it is likely that it will be resurrected to form the basis of the report to be issued by the present commission."

South Ossetia: peace efforts under the OSCE mediation (1992-2007)

- A ceasefire agreement was signed in 1992, followed by the deployment of a joint Russian, Ossetian and Georgian peacekeeping force
- The OSCE has been requested to help mediate and promote a peaceful resolution to the conflict
- A Joint Control Commission (JCC) supports confidence-building measures and helps to address issues of mutual concern, such as refugees and IDPs
- Georgia and South Ossetia declared 1998 the "Year of Return"

- In 1999 the JCC said that insufficient work had been carried out to address obstacles to return
- Most refugees and IDPs remain reluctant to return unless economic conditions improve and basic services are adequately restored
- However, the local population enjoys freedom of movement across the ceasefire line
- In 2000 Georgian-Russian economic document on the rehabilitation of the conflict zone and in 2002 "Draft Georgian-Russian Interstate Program" but nothing was implemented OSCE continued to support the peaceful settlement of the conflict and efforts were focused on confidence-building measures in 2002-2003
- Tensions in 2004, followed by full-scale war
- Two competing Presidents emerged following November 2006 referendum
- Negotiations between Tbilisi and Tskhinvali within the JCC framework have been deadlocked since 2004

ICG, 7 June 2007:

"The 1992 "Agreement on the Principles of the Settlement of the Georgian-Ossetian Conflict between Georgia and Russia" produced a ceasefire and a Joint Control Commission (JCC), a quadrilateral body with Georgian, Russian, North and South Ossetian representatives, plus participation from the Organisation for Security and Cooperation in Europe (OSCE). The JCC was tasked to supervise observance of the agreement, draft and implement conflict settlement measures, promote dialogue, devise and carry out measures to facilitate refugee and IDP return, solve problems related to economic reconstruction and monitor human rights. Additionally it was to coordinate the activities of the Joint Peace Keeping Forces (JPKF), which were to restore peace and maintain law and order in the zone of conflict.

ICG, 26 November 2004, pp.25-26:

"The two sides pledged in 1992 to create conditions for return of refugees and displaced persons [see Sochi Agreement on Resolving the Georgian-Ossetian Conflict, Article 4, 24 June 1992] yet it took over a decade to devise a detailed plan ["Draft Program on the Return, Settlement, Integration, and Re-integration of Refugees, Forcibly Displaced and Other Persons Affected by the Georgian-Ossetian Conflict Comprising Measures for the Restoration of the Economy in the Places of their Return", JCC decision, Annex no. 2, 9 July 2002, Moscow]. In 1997 a procedure "On the voluntary return of IDPs and refugees resulting from the Georgian—Ossetian conflict to their permanent place of residence" was agreed by the JCC. The parties expressed readiness to accept the right to "voluntary repatriation" and to "choose their place of residence". They pledged to protect returnees and guarantee them the property they were deprived of, freedom of movement, civil, cultural and social rights, and information on the return process. Implementation was to be coordinated by a permanent body of representatives of the four JCC participants. Shevardnadze and Chibirov declared 1998 the "Year of Return". However, in 1999 the JCC said "insufficient work had been carried out to address obstacles to return" and recommended Georgia "speed up the consideration of the Property Restitution of Refugees and IDPs". A clear outline of the process came only with the 2000 Georgian-Russian economic document on the rehabilitation of the conflict zone and a 2002 "Draft Georgian-Russian Interstate Program" but nothing was implemented, and Georgia's Parliament has yet to pass a property restitution law."

ICG, 7 June 2007:

"For twelve years there was no military confrontation. Even though the peace process was frozen, Georgians and Ossetians engaged in lively exchanges and uncontrolled trade. Upon becoming president of Georgia in January 2004, Mikheil Saakashvili made restoration of territorial integrity his top priority. His South Ossetia strategy combined an anti-smuggling campaign, aimed primarily at closing the sprawling Ergneti market,⁴ with a "humanitarian offensive" and measures to undermine the regime in Tskhinvali. These steps increased support for the de facto Ossetian

leader, Eduard Kokoity, among the many South Ossetians who depended on illegal trade for economic survival. In the first half of 2004 and as a result of the anti-smuggling campaign, Georgian interior ministry troop presence grew significantly. In July-August 2004 tensions escalated, dozens were killed, and the situation nearly degenerated into full-scale war.[...]

Since August 2004, a new ceasefire has held but the zone of conflict is volatile, with daily shootings, frequent criminal incidents and occasional killings. Negotiations are at an impasse. The sides have almost no confidence in each other or the conflict resolution process. There is a risk of new explosion.

In a bid to change the status quo peacefully, Tbilisi since November 2006 has supported an alternative de facto South Ossetian administration led by Dmitri Sanakoev, a former official of the pre-Kokoity administration in Tskhinvali. He has been appointed to the Georgian government as head of a new "temporary administration unit" for the Tskhinvali region/South Ossetia. He has secured support in Georgian-populated areas but whether he can gain influence over Ossetian-governed territory will determine the future of the conflict.[...]

There are two self-proclaimed, competing authorities in South Ossetia, both struggling to assert their legitimacy locally and internationally.

The competing governments appeared after 12 November 2006, when two sets of de facto presidential elections and status referendums were held. The one in Tskhinvali reconfirmed Kokoity in office and reiterated the overwhelming will of the region's population to separate from Georgia. The alternative poll, in the Georgian-administered village of Eredvi in the zone of conflict, resulted in Sanakoev, an ethnic Ossetian with old ties to a previous Tskhinvali breakaway administration, becoming alternative de facto president. [...]

Negotiations between Tbilisi and Tskhinvali within the JCC framework are deadlocked. The quadrilateral commission groups the Georgian, South Ossetian, North Ossetian and Russian sides. Not without merit, Tbilisi sees it as a "three against one" arrangement. Most JCC decisions since 2004 have not been implemented."

Causes of Displacement

Abkhazia: Displacement and "ethnic cleansing" (1992-1999)

- Both the Georgians and the Abkhaz population consider themselves victims of ethnically directed violence
- Abkhaz population fled ethnically based threats of violence
- Georgians reportedly burned down Abkhaz homes during the war
- Abkhaz leadership argues that anti-Abkhaz ethnic violence was intentional and planned
- The majority of Georgians were forced to flee the province of Abkhazia
- Some Georgians, such as members of mixed marriages, children of mixed marriages, or older people, never left their homes

- Destruction of property and looting reported to be ethnically directed towards Georgian homes in the Gali district
- UN source describes the violence in Abkhazia as "ethnic cleansing"

Dale, 1997, sects.2.1-4.2:

"One approach to [the question of 'ethnic cleansing'] would be to seek to determine whether there existed on either side at the highest levels a clearly formulated intention to eradicate an ethnic group. But such an intention might have existed without manifesting itself in any way during the war, while at the same time, even without a clear policy, wartime practices might be ethnically directed. In fact, the ways that people individually experienced the war, and their subjective understandings of what happened, far more directly determine future behaviour and thus the chances for a lasting settlement on the ground, than the existence or not of some official policy formulation. Therefore, the approach of this essay is to base the analysis on personal accounts of wartime experience by Georgian IDPs and current residents of Abkhazia. While over time personal understandings of what happened may be reworked and revised through ongoing conversations with others, these new collective understandings play a critical role in the search for a lasting settlement." [...]

[Abkhaz population]

Many accounts suggest that Abkhaz migration during the war was prompted by the threat of personal violence against the civilian Abkhaz population for reasons of ethnicity. In Sukhumi, certainly much thievery was perpetrated for its own sake, for economic gain. But residents relate that would-be perpetrators often first asked the nationality of the intended victim. Further, many accounts suggest that the best defence for Abkhaz was to seek shelter with Georgian friends. Georgian friends at first could turn away thieves by saying the Abkhaz in their flat were relatives, but several months into the war even this ploy ceased to work.

Among those who fled from their homes in Sukhumi, many knew immediately, through friends and acquaintances, that Georgians had moved into their flats. A young woman now living in Adziubja relates that she previously lived in her own flat in Sukhumi, but it was taken over during the war by Georgians, who apparently stole everything when they left, since nothing of any value remains. While in fact it is not necessarily the Georgian occupants who later looted the flat, this story pattern in which Georgians are blamed, is quite widespread.[...]

Among those who lived in the countryside, many understand that Georgians intentionally burned down Abkhaz homes during the war. An Abkhaz man in Adziubja relates that Georgians intentionally destroyed 32 of 35 Abkhaz homes in upper Adziubja, and also the local Abkhaz language school. And a Mingrelian woman in the market in Ochamchire tells how Georgians burned down Abkhaz homes in her own village and others nearby, in Ochamchire district.

Theft and property destruction were not the only apparent threats. Both Natella Akaba's parliamentary Committee on Human Rights, and Otar Kakalia's former NGO, Askarial, have publicized information about many cases of physical threat, torture, and murder directed against ethnic Abkhaz civilians. All of these practices, to the extent they occurred, certainly constitute ethnically directed violence, even if it was not centralized and coordinated, and the belief that such violence took place is widespread among Abkhaz. Much Abkhaz migration during the war can be attributed to fear of ethnic violence, and at least some postwar migration is attributable to intentional destruction of Abkhaz homes.

In addition, much of the Abkhaz leadership argues that anti-Abkhaz ethnic violence was intentional and planned. In evidence many point to the thorough destruction of the Abkhaz State Archives in the first days of the war, and the Abkhaz State Security Service produces what it

claims is a Georgian military map left behind during the war, indicating plans for the complete annihilation of Abkhaz villages in Ochamchire district. This official Abkhaz rhetoric of ethnic violence may serve to frame popular beliefs, but it is not the only source. Instead, local level experiences during the war also work directly to generate wide spread popular understanding of wartime violence."

[Georgians]

The conflict moved several different populations, in diverse ways. In most cases, the general contours of migration are far less contested than the numbers of people involved, and claims concerning the magnitude of displacement have become effective political weapons.

Certainly the largest group affected by the war are ethnic Georgians, the vast majority of whom have left Abkhazia and have settled in other parts of Georgia. The Georgian Ministry for Refugees claimed in March 1997 that there were 268,072 displaced persons from Abkhazia in Georgia. The Abkhaz argue in turn that there were 239,900 Georgians in Abkhazia in 1989, according to the Soviet census. They claim that some never left Abkhazia, many others have repatriated already, and still others fled to Russia not Georgia. There are thus at most 140-150,000 displaced people still waiting to be repatriated in Georgia. Since a number of Georgians did indeed stay behind, it is difficult to see how the Georgian Government can substantiate its figures. However, without passing judgement on this issue, it is possible to describe the contours of Georgian migration. From cities, the vast majority of the Georgian population has gone. In towns that had quite small Georgian populations, like Verkhniaia Eshera above Sukhumi, and Labra below it, literally all the Georgians have left. In other places, when residents note that Georgians have remained, it often transpires that these "Georgians" are children of mixed marriages who self-identify as Abkhaz or some other nationality.

However, a number of Georgians never left Abkhazia, even during the fighting. Members of mixed marriages stayed, particularly if the husband was Abkhaz. Many older people stayed, particularly if they had no close relatives to help them flee or to take them into their homes in a safer place. Neighbours, in Nizhnaia Eshera, Tkvarcheli, Ochamchire and Kutol among other places, emphasize that these Georgians can stay with impunity precisely because they did not fight on the Georgian side. In other cases, Georgians who were long-term residents of a village considered it home and quite naturally not only stayed during the war, but also helped the Abkhazas they were able. [...]

Those who stayed are certainly not representative of the Georgian population as a whole. The conditions under which they stayed show one way in which Georgians and Abkhaz have continued to live together. But the ominous implication is that without the full loyalty they demonstrated during the war these Georgians would not be welcome.[...]

In order to assess whether Georgian migration out of Abkhazia was ethnically driven it is necessary to consider two key parts to the claim of ethnic cleansing: that people were driven out by the threat of physical violence, and that Georgian homes and property were destroyed during and after the war to make return less likely.

Almost all displaced Georgians state clearly that they left because their lives were in danger precisely because they were Georgian. As evidence they recite stories of atrocities committed by Abkhaz forces against civilians during the war. Some of the stories are highly personal. For example a displaced Georgian in the market in Zugdidi, who is from Gali district, tells how Abkhaz forces killed her husband, and then killed her parents for good measure 'just because they were Georgian'. Another woman now living in Zugdidi tells how Abkhaz forces came to their home in Pitsunda and gave them a choice: either take an Abkhaz surname and fight on the Abkhaz side, or leave your home now. An older Georgian returnee to Gali district tells how after the war he witnessed Abkhaz approach a Georgian peasant neighbour and ask his surname. Hearing it was

Mingrelian they proceeded to burn him. The role a victim's surname plays in these stories gives the violence a distinctly ethnic character.

[...]

In order to substantiate that Georgian mass migration was forced by ethnic violence, do we need to document that all displaced people were personally threatened at gunpoint, forced to hear of the horrors that would soon be practiced on their bodies, and given a choice whether to stay or not? Or, is it sufficient to ascertain that some unquestionably ethnically directed atrocities did take place, that people had reasonable opportunities to hear the tellings and retellings of these events, and that they fled in fear on this basis?

Concerning the second element of Georgian forced migration, many or most displaced Georgians say that their homes have been destroyed, or are now occupied by others. This knowledge comes through friends or even distant acquaintances, whom they have asked to check on the fate of their homes. In the market in Zugdidi, five displaced people say their houses in Gali district were burned after the war had ended. Armenians still living in Abkhazia note that Georgian homes in Dranda were intentionally attacked, and Abkhaz say the same thing about Georgian homes in Tamysh. Even Abkhaz authorities in Ochamchire city note that in the first days after the Abkhaz took back Sukhumi and then returned to Ochamchire, it was very difficult to control looting of the homes of people who had fled. Looting may be an exercise primarily for economic gain, but when people of a given official nationality are disproportionately selected as victims, the crimes take on an ethnic character.

Georgian authorities at all levels, like Abkhaz officials, tend to draw together the various accounts of violence and label it 'ethnic cleansing'. One head of administration from Gali district, in a conversation in Zugdidi, recited a list of murders and lootings directed against Georgians in Gali district since the war, and asked, 'Is this not genocide?' The Vice Mayor of Zugdidi agrees, noting that 5,000 Georgian houses were burned intentionally by the Abkhaz. The Kutaisi representative of the Abkhaz Council of Ministers in exile, echoing the words of Tamaz Nadareishvili and Zurab Erkvania, states that what happened after the war in Abkhazia was 'ethnic cleansing and genocide'. And he adds the personal account of his brother, who after returning to his village Otobaia in lower Gali district was attacked by the Abkhaz police and left paralyzed as a result."

Dale, 1997, sect.5.3:

"Locked into constant interaction with one another, IDPs tell and retell one another stories of their wartime experiences. One result is the move from individual experiences of violence in which they, the victims, happened to be Georgian, to a sea of stories of ethnic violence in which all the victims are Georgian and all the perpetrators Abkhaz. Here, prolonged displacement works to create a compelling and widely shared narrative of ethnic cleansing."

Dale, 1997, sects.2.1-4.2:

"Even if it is accepted that application of the label 'ethnic cleansing' to the violence enacted upon either the Abkhaz or the Georgians would require demonstrating the existence of a concerted policy on the part of the leadership, what happened in practice may be much more important than what may or may not have been intended by some political entrepreneurs. The de facto conduct of this highly local war was superlatively ethnic in character. The best evidence is less the absolute horror of some observers' accounts than the fact that ethnicity is the primary trait of each key player in each of the accounts. Whatever role ethnicity per se may have played in producing the conflict, it has become the primary category with which people on the ground narrate and comprehend the war's violence. In practical terms, much of the Abkhaz population, and most of the Georgian population, have been displaced; property throughout Abkhazia has been destroyed, narrowing significantly the options for reconstruction and return in the near future; and among all former residents of Abkhazia the belief prevails that the best term for characterizing what happened to them is "ethnic cleansing".

This conclusion was echoed by the UN Special Rapporteur of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, Mr. A. Eide:

Commission on Human Rights, 6 July 1994, para. 31:

"[In Abkhazia] the challenge to the territorial integrity of Georgia has been accompanied by processes of ethnic cleansing."

Temporary displacement due to conflict between Georgia and South Ossetia in 2004

- Government of Georgia evacuated children and some mothers from South Ossetia

ICG, 26 November 2004, Executive Summary:

"A precarious peace is back in place between Georgia and South Ossetia after the long-frozen conflict nearly became a hot war again and drew in Russia when dozens were killed in August 2004 fighting. President Saakashvili tried to break a twelve-year deadlock and take another step to restore Georgia's territorial integrity by undermining the regime in Tskhinvali, but seriously miscalculated."

OCHA, 31 August 2004:

"In response to the escalation of situation in South Ossetia and continued shelling of Georgian villages that resulted in significant damage of living houses and basic infrastructure, the Government of Georgia decided to evacuate children and some mothers to various locations in Georgia. The evacuation started on 12 August [2004] from the ethnic Georgian villages of South Ossetia. Special "transit centre" was established in Tkviavi village to ensure preliminary registration and transportation of population. Government of Georgia took overall responsibility for handling the displacement process and for providing the displaced with accommodation, food, medical assistance and security. In light of these events, DMT Working Group on South Ossetia has been established comprised of OCHA, UNICEF, UNHCR, and WFP, and being led by UNHCR. On 17-18 August, the Group conducted needs assessments in the various locations where children and women from South Ossetia are being accommodated. The mission concluded that emergency assistance from the UN agencies in terms of food and non-food items is not needed for the time being. The UN agencies need to continue monitoring of the situation knowing that the majority of the children were sent out without their immediate family members. [...] As per Georgian Government, the children are expected to return by 20 September the latest, when the school season begins."

For more information on this temporary relocation: United Nations High Commissioner for Refugees (UNHCR), 20 August 2004, UNHCR/WFP Joint Assessment Missions in relation to recent relocation of women and children from South Ossetia [see link below]

South Ossetia: violent conflict and displacement in 1990-1992

- In 1989, the overall population of South Ossetia was approximately 99,700, including some 26,000 ethnic Georgians
- Declaration of autonomy of South Ossetia in 1989 was followed by a violent conflict with Georgia until 1992
- During the conflict, Georgians and South Ossetians both committed brutal atrocities, including decapitation of infants, executions in front of family members, and rape
- The 1990-1992 conflict in the Tskhinvali Region/South Ossetia is estimated to have displaced some 60,000 persons, the majority of them Ossets, but also about 10,000 ethnic Georgians

ICG, 26 November 2004, p.5:

“Populations were closely inter-mixed before the 1990-1992 conflict. According to the last pre-war census in 1989, Ossetians living in South Ossetia numbered 65,000, with 98,000 in the rest of Georgia. The overall population of South Ossetia was approximately 99,700, including some 26,000 ethnic Georgians. The war brought massive displacement, which shattered much of this coexistence and brought South Ossetians much closer to their ethnic kin in North Ossetia (Russian Federation).[...]

OCHA, 15 January 2004:

“The South Ossetian Autonomous Oblast consisted of the four districts of Tskhinvali, Akhagori (formerly Leningori), Java, and Znauri. Tskhinvali, the capital of the Oblast, is a half hour's drive north of Gori, the administrative centre of the Georgian region of Shida Kartli. In 1989, the Supreme Soviet of the Oblast declared its intention to raise its status to that of an Autonomous Republic within Georgia. The Georgian authorities annulled this decision and further revoked South Ossetia's status as an Autonomous Oblast. A violent conflict ensued during 1989-1992.

As a direct consequence of the Georgian-Ossetian conflict, South Ossetia and adjoining regions of Georgia proper, including Gori, suffered substantial material damage, and over 60,000 individuals, mainly ethnic Ossetians, were displaced from their homes. Some 40,000 of them crossed into North Ossetia in the Russian Federation and became refugees. At the same time as the conflict raged, several violent earthquakes and aftershocks struck the region, causing significant damage, particularly in Java.”

ICG, 26 November 2004, p7:

“The conflict in the beginning of the 1990s was sporadic and anarchic. Neither Georgians nor Ossetians possessed a disciplined army, and fighting generally took place between small groups and paramilitaries, facilitated by the easy availability of arms. [...]

Both sides committed brutal atrocities, including decapitation of infants, executions in front of family members, and rape.”

CHR, 22 March 2006:

“The 1990-1992 conflict in the Tskhinvali Region/South Ossetia is estimated to have displaced some 60,000 persons, including about 10,000 ethnic Georgians. The vast majority, however, were ethnic Ossets from both the breakaway territory and other parts of Georgia, most of whom have fled abroad (primarily to the Russian Federation region of North Ossetia).

Some were displaced as a direct consequence of fighting in and around the Tskhinvali Region/South Ossetia, while others moved due to fear, harassment or forcible eviction in parts of Georgia that remained otherwise largely peaceful during the conflict. Within the Tskhinvali Region/South Ossetia, about 5,000 persons were internally displaced.”

ICG, 26 November 2004, p.6:

[Following the war] [...] [M]uch of the inter-ethnic mixing that existed before 1990 has been lost. Before the war, Georgia had a population of some 164,000 ethnic Ossetians. Approximately 38,000 remain [outside of South Ossetia]. A handful of ethnically mixed villages survive in South Ossetia. While Ossetian authorities claim that up to 2,000 ethnic Georgian still live in Tskhinvali, Georgian officials in Gori say only a few dozen do. In parts of South Ossetia under Georgian government control, there are some 20,000 persons, mainly ethnic Georgians, in four districts.

Wartime displacement also significantly reduced South Ossetia's population, which has yet to reach 1990 numbers. Authorities there claim some 80,000 persons live in the region. However the real number of full time residents is likely around 65,000. No more than 36,600 are reported to have voted in the 2004 South Ossetian parliamentary elections.”

Displacement of ethnic Russians, Armenians and Greeks (1992-1993)

- Abkhazia's large Russian and Armenian population looked for protection in Russia while most Greeks were repatriated to Greece

USCR 2000, p. 239:

"There were [...] about 280,000 internally displaced persons in Georgia at year's end (1999). The overwhelming majority (266,000) were ethnic Georgians displaced from Abkhazia, about one third from the Gali district. The rest - about 14,000 persons - were displaced from South Ossetia. Of these, about 10,000 ethnic Georgians displaced from South Ossetia lived in government-controlled areas and about 4,000 persons remained displaced within South Ossetia. About two percent of Abkhazia's displaced were ethnic Jews, Ukrainians, Greeks, Abkhaz, Armenians, or Russians.

Some 42 percent of Georgia's displaced population lived in the Samegrelo region adjacent to Abkhazia, followed by Tbilisi (31 percent), and the Imereti region (13 percent). No significant new displacement or returns took place during the year."

Dale, 1997, sects.2.1-4.2:

"Caught in the middle of the madness were members of other official nationalities. In the earliest days of the war, Greece arranged an orderly and thorough evacuation for Abkhazia's Greek population of about 15,000 people. Many of these long-term residents of Abkhazia have found it difficult to adjust and some have attempted to return home.

Abkhazia's Russian and Armenian populations, each about 75,000 strong, were not temporary visitors who could simply return "home" when the fighting began. Most Armenians could trace their Abkhaz roots to the beginning of the century, and many came as a direct result of persecution in 1915. By the start of the war, Armenians in Abkhazia were Soviet cultural constructs, speaking Russian and even Turkish, living in compact Armenian villages but in a multinational society, with few or no ties to Soviet Armenia. When the war began, Armenians found themselves directly in the line of fire, but "returning" to Armenia was a nonsensical option. Instead, the most natural option for many, especially women and children, was to flee to friends or distant relatives in Russia until the end of the war. In a frequent pattern, many young people stayed on in Russia, studying or earning money to send remittances back to Abkhazia.

Abkhaz Russians, despite cultural affinity with the Russian Federation, were also longtime residents. Like the Armenians, many Russians who had the necessary personal ties left their homes for Russia for the duration of the war, and many, particularly young people, have stayed on in Russia to work or study. In this way, the war scattered members of some nationalities and in some cases removed them altogether."

Other causes of displacement

Displacement due to natural disasters (2006)

- According to the current legislation, the State is not obliged to provide natural disaster victims with material or other types of assistance

- Total number of ecological migrants in Georgia ranges between approximately 120,000 and 170,000 (including those displaced back in the 1980s)
- Populations living in known high-risk areas in, for example, Adjara, Svaneti, or Kvemo Kartli, remain continuously at risk of displacement
- The 'Law on Internally Displaced Persons-the Persecuted' does not envisage persons displaced as a result of natural and/or human made disasters, contrary to the Guiding Principles on Internal Displacement

UNCT in Georgia, November 2006:

"Major natural disasters that occurred during recent years, causing displacement of population in Georgia, identified gaps in existing national and international legislation that make this group of ecological migrants or natural disaster victims a vulnerable group requiring special attention.

According to the current legislation, the State is not obliged to provide natural disaster victims with material or other types of assistance. In the aftermath of the floods in 2005, the Government made a spontaneous decision to provide one-time financial assistance to the affected households. Though this was an extremely positive step by the Government, it was an ad hoc rather than a systematized procedure. The estimated total number of ecological migrants in Georgia ranges between approximately 120,000 and 170,000 (including those displaced back in the '80s).

Populations living in known high-risk areas in, for example, Adjara, Svaneti, or Kvemo Kartli, remain continuously at risk of displacement. In some cases, displaced people have moved, sometimes illegally, into empty houses, still belonging to the people who left them. This is not a sustainable solution. MRA informed it has specially designated funds available for one-time cash assistance for victims of natural disasters for damage and displacement. In relevant cases, MRA sends out a special team, including legal representation and seismic experts, to assess the damage and establish the level of such assistance. MRA indicated it has, for example, been purchasing replacement housing for victims of natural disasters. However, the needs are enormous.

Legal situation – The rights of victims of natural disasters have never been protected or stipulated by any of the legal instruments in Georgia. The 'Law on Internally Displaced Persons-the Persecuted' does not envisage persons displaced as a result of natural and/or human made disasters, and thus contradicts the 'Guiding Principles on Internal Displacement,' developed by the UN in 1998. No further progress can be reported on the draft Law on State Insurance against Natural Disasters drafted earlier. Such an insurance system seems to be the only feasible solution so far to compensate the natural disaster victims for damages caused. Property insurance policies, as indicated to be part of the draft Law on Population and Territory Protection, and yet to be developed in Georgia, usually specifically exclude damages caused by natural and manmade disasters."

POPULATION FIGURES AND PROFILE

Global figures

Some 220,000 - 247,000 remained displaced in Georgia as of 2007

Some 300,000 people fled conflicts in or were expelled from Abkhazia and South Ossetia in the early 1990s. Some 45,000 of them returned to Gali, Abkhazia a few years ago. Since then, the number of IDPs has not decreased, as children of IDPs are also counted as IDPs. In 2004-2005, the Ministry of Refugees and Accommodation (MRA) undertook with the support of UNHCR and of the Swiss government a verification exercise to update the number of IDPs. Some 221,000 people were verified, but this number has not been endorsed by Georgian authorities, who used the estimate of 247,000 as of early 2007. Also, the Georgian government has started registering some of the hundreds of Georgian citizens recently deported from Russia as IDPs.

Government of Georgia, 2 February 2007:

“Currently in Georgia there are approximately 247,000 IDPs from Abkhazia and Tskhinvali region,”

NRC, July 2007 *(based on Georgian government sources):*

“Currently in Georgia there are approximately 247,000 IDPs, of whom approximately 12,000 are from South Ossetia. More than 103,000 of these are children (0-16 years).[...]

According to the 2004-2005 IDPs registration verification exercise conducted by the Ministry of Refugees and Accommodation (MRA), with the support of UNHCR and the Swiss Government, the total number of verified IDPs, including newly registered/new born are 221.597 (including 12.584 from South Ossetia and 209.013 from Abkhazia). The results from the verification exercise has not been recognized by Georgian authorities, claiming it was not announced as mandatory.”

UNCT in Georgia, November 2006:

“**Newly recognized Internally Displaced Persons** – MRA has started registering some of the hundreds of Georgian citizens recently deported from Russia as IDPs. MRA considers those deported Georgians that originate from Georgian conflict zones, fled to Russia during the conflicts in the early 1990s and lived in Russia as (often unregistered) refugees, to be IDPs.”

CHR, 22 March 2006:

“By November 2004, 241,032 IDPs were registered with the Ministry for Refugees and Accommodation of Georgia. Between December 2004 and June 2005, the Ministry, with financial and technical support from UNHCR, verified the number of IDPs currently living in territories under Georgian control, registering a total of 221,597 [Note: Ministry for Refugees and Accommodation preliminary figures of October 2005 shared with UNHCR. The issue of the legal statutes of those IDPs who did not appear for the latest verification exercise in November 2004 or who had not yet successfully undergone verification due to problematic supporting documents remains unclear.] This number includes 210,409 IDPs of those previously registered with the Ministry as well as an additional 11,188 newly registered and newborn IDPs. Out of the total of verified IDPs, 209,013 (94.32 per cent) are from Abkhazia and 12,584 (5.68 per cent) from

Tskhinvali Region/South Ossetia. In addition, some 5,000 persons remain displaced within Tskhinvali Region/South Ossetia. The number of persons still displaced inside Abkhazia is not known.”

Close to 240,000 continued to be displaced in Georgia as of end of 2004

- In 2005, the Georgian Government and UNHCR concluded the verification of IDP registration

Parliamentary Assembly, Council of Europe, 13 April 2006:

“It is difficult to gauge the number of refugees and displaced persons in the region. By law or by virtue of administrative practice, the three countries tend to recognise the descendants of persons displaced in various capacities within the region as “refugees” or “displaced persons”, with the result that the total number of refugees and displaced persons never seems to decrease.”

OCHA, 19 November 2004:

“The plight and status of IDPs in Georgia continues to generate much debate. According to official Government data, there are currently 237,069 persons (224,947 IDPs from Abkhazia and 12,122 IDPs from South Ossetia) displaced from the two ethnically fuelled conflicts in those regions, who still reside in Georgia proper, unable to officially return to their places of origin. After more than 11 years of displacement, approximately 42% of IDPs inhabit collective centres, only some of which were renovated several years ago to serve as temporary dwellings, while the majority of the remaining 58% continue to live in crowded conditions with host families or in rented apartments.”

OCHA, 31 October 2004:

“The Ministry of Refugee and Accommodation on behalf of the Government of Georgia will be conducting a countrywide verification of the IDPs’ registration exercise. UNHCR is supporting the Ministry with its technical expertise and helping in securing the funding. The Swiss Government through its Agency for Development and Cooperation (SDC), Ministry of Foreign Affairs has contributed an earmarked budgetary of CHF 300,000 to support this important initiative of the Government of Georgia.

At the beginning of 2004 the total number of IDPs registered with the Ministry of Refugees and Accommodation stood at approximately 260,000 persons. The last IDP registration took place in 1996 and it is important to collect and update basic information on IDPs from Abkhazia and South Ossetia. Accurate figures of the IDP population in Georgia will enable the Georgian Government to use its resources more effectively for the benefit of IDPs.”

NRC, 15 March 2005:

“**Problems relate to organization, administration, technical issues and information:** A major issue has been the procedures and regulations for those not showing up for verification. -Will they lose their status? In some regions, 25 % do not show up for verification. The Ministry has not decided (at least not been able to explain) what to do and the legal basis for whatever can be done. There are many other problems that was not solved before the verification started such as lack of reliable register of collective centers and their owners. Many IDPs do not live in the building they are registered, but has not been able to re-register because there is no administration of the building who is responsible for approving the change of address. Since this is not a registration but only verifying the information in the register, there is a lot of confusion about what to do with some of these issues. [...]The current register of IDPs was made in 1996, and has been updated annually through the registration of the IDPs. The government has just finalized a “verification exercise” which includes the verification of IDPs documents as well as

updating and upgrading the central IDP register and archive. NRC has been supporting efforts of getting a more accurate IDP data and sees the need for an updated register according to international standards.

However, the verification project undertaken by the Ministry of Refugees and Accommodation (MRA) in collaboration with UNHCR raised many questions and concerns among the IDP community. NRC, working with local partner organizations on a project providing information, counseling and free legal aid to IDPs in Georgia, has worked closely both with MRA and UNHCR as well as IDPs themselves during this process. The concerns outlined in a position paper last year, have to some extent been confirmed. Lack of information and understanding among IDPs regarding this process has been the source of complaints, frustration and distrust throughout the exercise. This report summarizes the experience of the meetings throughout Georgia with IDPs in collective centers, with clients approaching our legal aid offices as well as communication with MRA. It is followed by a series of recommendations.”

Total internally displaced population: 260,000 persons as of September 2003

- 95 percent of the IDPs in Georgia were displaced from Abkhazia, the rest from South Ossetia
- Between 40,000 and 100,000 Ossetians from South Ossetia and Georgia proper fled there during the conflict
- 38 percent of the IDP population lives in the Samegrelo province, bordering with Abkhazia
- Tbilisi is the second province with the highest concentration of IDPs (35 percent)
- The total population of Georgia has shrunk by 20 percent in 12 years, as a result of a massive outflow of workforces to other countries
- Abkhaz authorities suggest compiling a precise register of the Georgians eligible for repatriation
- There has never been a proper registration of IDPs, while IFRC estimated that 20 percent of the IDP addresses were non-existent or wrong

UNHCR June 2002, p. 383:

UNHCR Data as of 30 September 2003
IDPs from Abkhazia

	GAGRA	GALI	GUDAUTA	GULRIPSHI	OCHAMCHIRE	SUKHUMI	SUKHUMI DISTR.	TKVARCHELI	To
ADJARA	529	786	99	1675	1017	1758	778	142	67
GURIA	72	69	11	88	148	169	25	11	59
IMERETI	3828	3443	1218	4495	7784	5165	4049	556	305
KAKHETI	181	169	265	226	126	185	67	10	12
KARTLI	245	345	42	277	424	431	299	53	21
KVEMO KARTLI	2362	1255	466	1815	1799	1324	845	284	101
MTSKHETA- MTIANETI	84	126	123	229	180	218	16	23	99
RACHA- LECHKHUMI	323	48	78	66	162	178	324	30	12
SAMEGRELO	3245	54642	862	10232	12947	12740	4755	1226	100
SAMTSKHE- JAVAKHETI	191	583	48	481	289	320	345	41	22
TBILISI	10556	17229	2267	13085	11505	28689	6702	849	908
Total	21616	78695	5479	32669	36381	51177	18205	3225	247

IDPs from Districts of South Ossetia

TSKHINVALI 10083	ZNAURI 2389	JAVA 203	Total 12675
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Persons of Concern to UNHCR (Government statistics)

	Total in Country	Per cent Female	Percent under 18
Georgia (IDPs) [note]	264,000	55	26

Note: includes some 250,000 IDPs and returnees from the Georgian-Abkhaz conflict. As estimated 40,000 IDPs have returned spontaneously to Gali District. Also includes some 7,000 IDPs and refugees from the Georgian-Osset conflict. In 2001, 425 refugees and IDPs returned to their places of origin in South Ossetia and Georgia proper.

OCHA, May 2003:

"According to the Georgian State Department for Statistics release of May 5, as per the findings of the national census taken in January 2002, Georgia's population shrank by 1.1 million people: from 5.5 million in 1989 to 4.4 million at the beginning of 2002. The census did not cover two conflict areas outside central government's control. As per official communication, Georgian and international experts believe the population of Abkhazia may be around 160,000 people at the moment, while South Ossetia is home to about 70,000 people. Generally, the shrinkage of Georgian population by such huge, almost 20 per cent, over the past 13 years, had been caused by an amassed outflow of workforce to other countries in hope to get better living and working opportunities. Most of the emigrants now live in the Russian Federation, but the emigration trend shows increasing percentage of emigration to the Ukraine, Western Europe and the USA."

UNHCHR, 25 January 2001, paras. 11-12:

"According to government as well as NGO figures, there are in Georgia today, some 280,000 internally displaced persons who have been uprooted as a result of armed conflict, out of a population of just 5 million. This displacement is actually the result of two separate armed conflicts in different regions of the country: in Abkhazia and in South Ossetia (also referred to as Tskhinvali region). The overwhelming majority of these internally displaced persons, some

266,000, are ethnic Georgians from Abkhazia, while the remainder were displaced by the conflict in South Ossetia.

In addition, the Government reports that some 20,000 persons were internally displaced as a result of natural disasters, in particular, floods, earthquake and landslides, which occurred in the Svanetia and Ajara regions between 1987 and 1989. Though little mention was made during the mission of this group of internally displaced persons, their plight was highlighted by the President and by the Minister for Refugees and Accommodation, who both called for international assistance in providing shelter assistance required to facilitate durable solutions."

UNHCHR, 25 January 2001, para. 21:

"It should be noted that figures for displacement associated with the Georgian-Osset conflict are estimates on account of the fact that there has never been an effective registration of the displaced. Today, estimates of the remaining internally displaced and refugee population remain vague, with conflicting figures offered by both sides. UNHCR estimates that there remain roughly 6,000 out of the 10,000 ethnic Georgian internally displaced persons in Georgia proper; 1,000 out of the 10,000 ethnic Osset internally displaced persons in South Ossetia; and 23,500 Osset refugees in North Ossetia and the North Caucasus."

IFRC, November 2000, p. 71:

"According to the records of the Ministry of Refugees and Accommodation (MRA) in November 1999, IDPs in Georgia are divided into approximately 49,570 households in private accommodation and 39,764 in collective centres (former sanatoria, hotels, tourist camps, hostels etc.). The total number of IDPs, according to the Ministry, is 272,000, with an average household size of just over 3,04 persons. However, according to the [IFRC] survey, 20 per cent of the IDPs addresses were non-existing or wrong. If we deduct 20 per cent households equally from both types of accommodation and apply the survey figures of average household size (3.38 persons per household in private accommodation, 3,51 in collective centres) the total number of IDP households would be approximately 40,000 in private accommodation and 32,000 in collective centres, a total of 245,700 persons. They are scattered throughout Georgia, with heavy concentrations, however, in the Tbilisi and Samegrelo-Imereti areas in western Georgia."

ICG, 26 November 2006, pp.5-6:

"While precise figures are difficult to find, accounts claim that between 40,000 and 100,000 Ossetians from South Ossetia and Georgia proper fled there during the conflict. [*The lower figure is based on data from UNHCR (estimations as of 1998). According to UNHCR Tbilisi, 30,000 Ossetians from Georgia proper registered in North Ossetia as refugees, while 10,000 from South Ossetia became "de facto refugees" in North Ossetia. Crisis Group interview, August 2004. Officials of UNHCR Vladikavkaz consider that in 1995 there were some 55,000 persons in North Ossetia displaced by the Georgian--South Ossetian conflict. Crisis Group interview, October 2004. The 100,000 figure is used by North Ossetia officials (Crisis Group interview, October 2004) and is also quoted in Birch, "Ossetiya", op. cit., p. 505].*

Additionally, some 10,000 Georgians and persons of mixed ethnicity were displaced from South Ossetia to Georgia proper, and 5,000 internally displaced in South Ossetia.⁵⁰ The 1992 ceasefire was not followed by large-scale returns. In 2004 the UN Office for the Co-ordination of Humanitarian Assistance (OCHA) found that "an overwhelming number of IDPs and returnees remain displaced...many if not most...reluctant to return to their places of origin".

UNHCR, 26 January 2001:

IDPs of concern to/assisted by UNHCR (based on UNHCR annual statistical reports)

31 December 2002	261,585 (including 144,839 women)
31 December 2001	264,221 (including 146,298 women)

31 December 2000	272,221
31 December 1999	278,500 (UNHCR also reports a total of 590 returns to places origin in 1999)
31 December 1998	277,000 (UNHCR also reports a total of 21,100 IDP resettled within the country in 1998)
31 December 1997	273,400
31 December 1996	272,359
31 December 1995	288,600 (including 150,000 IDPs assisted by UNHCR)
31 December 1994	280,000 (including 150,000 IDPs assisted by UNHCR) [Note 1]
31 December 1993	260,000 (including 70,000 IDPs assisted by UNHCR)

[Note 1: The number of internally displaced persons of concern to UNHCR (280,000) is based on a registration carried out by the Georgian State Committee for Refugees and Accommodation in mid-1994 as well as on an estimate of the unregistered population. The difference with the end-year statistics of 1993 reflects a more detailed registration of internally displaced persons rather than new displacements.]

Age groups:	0-4	5-17	18-59	60 +	Total
Total	9 410	63 337	15 2709	46 645	272 101
Female	4 524	31 957	85 595	28 525	150 601
Male	4 886	31 380	67 114	18 120	121 500

Disaggregated data

Profile of 17 collective centres throughout Georgia (October 2006)

The data collected by researchers was obtained from community leaders, key informants, and from the site observations of the community by youth interviewers mandated by UNICEF and NRC. The data was not triangulated with official records and thus mainly represents the perceptions of the community members. Data indicates the names of collective centres, the number and origin of people living there – including the number of young people per age group – the conditions of the centres and access to basic services for its residents.

To access the data, see link below.

UNICEF/NRC, Annex 1, October 2006

About 44 percent of the IDPs live in collective centres (2004)

- Many IDPs who have purchase private accommodations for themselves reportedly refrain from registering their location for fear of losing IDP benefits
- Numbers of IDPs in collective centers has been growing

OCHA, November 2003, p. 12

"As per official Government data, 262,000 persons (7% of the population) who were displaced from the two ethnically fuelled conflicts in South Ossetia (1989-1991) and Abkhazia (1992-1994), still reside in Georgia proper, unable to return to their places of origin. After more than 10 years of displacement, approximately 40 % of IDPs inhabit collective centres, only some of which were renovated several years ago to serve as temporary dwellings, while a majority of the remaining 60% continues to live in crowded conditions in host families. A limited number of IDPs received private shelter with donor assistance, but such approaches are costly and not widely applied."

Dershem & Gurgenidze, November 2002, p. 9:

"Conflicts in Abkhazeti⁴ and South Ossetia, Georgia generated significant number of internally displaced persons (IDPs) in Georgia. First, IDPs came from South Ossetia in 1990/91 followed by the larger group from Abkhazia in 1992/93. According to the UNHCR statistics, currently there are 241 733 IDPs from Abkhazia and 11 631 from South Ossetia. IDPs represent approximately 5% of the Georgian population (UNHCR).

IDPs, upon displacement from their places of residences, were placed in one of three accommodations: 1) in collective centers (such as hostels, hotels, hospitals, school buildings, other state owned premises), 2) in host families (with relatives and friends), 3) in private accommodations by themselves (rented or bought an apartment/house). According to the IFRC (2000) as of November 1999 there were approximately 245 000 IDPs (or 71 467 IDP families), of which 55% lived in private accommodations [5]. *The [Ministry of Refugees and Accommodation (MoRA)] does not provide a breakdown on the percentage living with a host family or unhosted.* The slight minority, 45% of IDPs, live in approximately 1 540 collective centers throughout the country. According to IFRC, almost 70% of all IDP households reside in five locations:

- in (1) private and (2) collective accommodation in Tbilisi (32 per cent),
- in private accommodation in (3) urban and in (4) rural Samegrelo (27 per cent)
- in (5) collective centers in urban Imereti (10 per cent).

Discerning the exact number of IDPs and location is problematic. First, there are rumors that approximately 5% of persons eligible for IDP status have not registered with the Government of Georgia (GoG).[6] Secondly, there is anecdotal evidence that IDPs move from one of these three living arrangements to another, for example, leaving a host family and moving into a collective center or into a their own private accommodation. [7] *To our knowledge, no study exists that has examined the movement of IDPs between various living arrangements and the reasons for these movements.* Third, it is reported by local NGOs that many IDPs who have purchase private accommodations for themselves refrain from registering their location for fear of losing benefits."

[Footnote 5: IFRC found while conducting their survey a 20% error rate and, thus, these figures are 20% less than reported by the MoRA]

[Footnote 6: Meeting at UNAG Office 29 June 2002 with local NGOs]

[For example, IFRC in their 1999 study used the MoRA's lists and found 20% of the IDP addresses either wrong or nonexistent.]

NRC, 15 March 2005:

According to the Norwegian Refugee Council's office in Georgia, the number of IDPs in collective centers has been growing, reaching 44 per cent as of October 2004.

Data of IDP population by shelter from the Ministry for Refugees and Accommodation (as of January 2001) are available on website of the humanitarian community in Georgia, Assistance Georgia [Internet]

Survey highlights lack of consistent figures on IDPs (2002)

- Accurate statistics on numbers, locations and living arrangements of IDPs are not available
- There are few systematic surveys that allow for the assessment of differences in poverty or vulnerability between IDPs and the general population

Dershem/Gurgenidze/Holtzman, November 2002, p. 4:

"IDPs live in a wide variety of accommodations (collective centers, with host families, and by themselves in private accommodations), living arrangements (in collective centers with other relatives and previous friends and neighbors) and in different locations (regions and urban/rural settings). An IDP's accommodation, living arrangement and location can affect his or her economic situation and vulnerability. To begin to examine the differential effect(s) that accommodation, living arrangement and location has on an IDP requires having accurate, up-to-date, information on the numbers of IDPs in each of these various circumstances. However, **accurate and up-to-date statistics on the numbers, locations and living arrangements of IDPs is not available.** The government agency responsible for this information, the Ministry of Refugees and Accommodation, provides some statistical accounting of IDPs but the numbers are not always consistent and data on types of accommodation, living arrangement and/or locations are very general.

To understand the relative difference of IDPs and the general population requires having accurate, up-to-date, information on the general population as well as IDPs. However, **there are few systematic, representative, and reoccurring surveys of the general population and IDPs of comparable data that will allow for the assessment of differences in rates of poverty or vulnerability between or among them.**

Moreover, even among the few systematic surveys and assessments of IDPs and the general population, **comparative findings are not easily found due to differences in sampling frames, definitions of concepts and terms, unit of analysis, implementation of fieldwork, respondent identification, and the design of questions."**

Demographic structure of the internally displaced population differs noticeably from the rest of the population (2000-2004)

- Households in the general population tend to be more multi-generational, according to a survey conducted by Save the Children in three region of western Georgia
- There is a larger proportion of younger persons and a smaller proportion of retired people among IDPs in collective centres than in the general population
- According to 2003 data, many IDP households have chosen not to bring children into their living conditions
- Single person households are more prevalent among IDPs than in the local population
- Birth of displaced children is reportedly be registered with delay
- The divorce rate among the displaced (1.8%) is much higher than in the general population (0.9%)

Dershem/Gurgenidze/Holtzman, November 2002, p. 30:

"Both the IFRC study and [Save the Children (SC)] surveys agree that there are a larger proportion of younger, 0-17 years of age and smaller proportion of retired people among IDPs living in collective centers than in the general population (26.2% vs. 24.2% and 13.3% vs. 18.0%

respectively). [57] SC's surveys found an average age of 35.6 years for IDPs living in collective centers and 37.6 years for the general population.

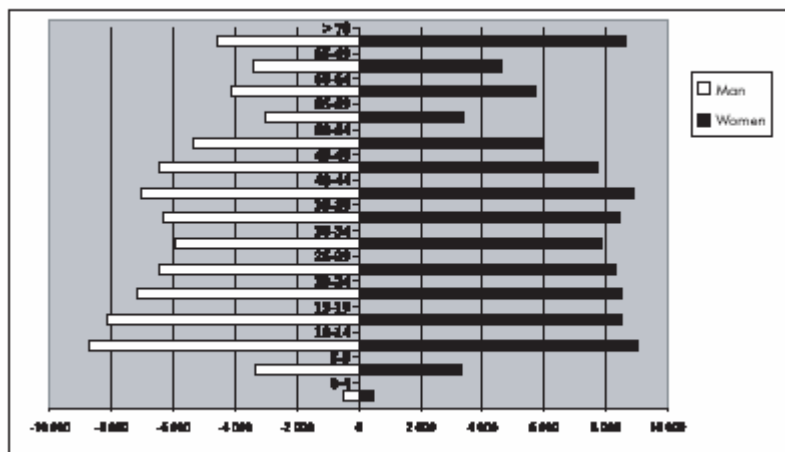
The size of households is only slightly smaller among IDPs living in collective centers than the local population (3.5 vs. 3.7 members), but lower among IDPs living in private accommodations (3.4 members). Single person households are more prevalent among IDPs living in private accommodations (16.4%) than among IDPs living in collective centers (15.9%) and the local population (12.9%)."

[Footnote 57: According to NGO representatives, a child born to IDP parent(s) is registered at the hospital to receive a birth certificate. The child's IDP registration occurs later. IDP benefits only start at the time of registration, which leaves a time (sometimes months) between birth and receipt of benefits. It has been reported, but not confirmed, that last year the government earned an income from the non-delivered allowances.]

Zoidze & Djibuti, 2004, p7:

"The census data once again confirmed alarming demographic trends among the IDP population in Georgia. As Figure 1 shows, the age pyramid for IDPs is considerably distorted and its basis is eroded. It means that many IDP households "...have chosen not to bring children into their living conditions. The number of IDP children aged 5-9 is one-third of those aged 10-14, and those aged 0-4 are just 15 percent of those aged 5-9, a demographic free-fall. Unless drastic changes in demographic trends take place in the future, Georgia's IDPs will dwindle as a population group" [see Women and Children in Georgia. Situation Analysis 2003. UNICEF].

Figure 1. Age Structure of Internally Displaced Persons



Source: Census 2002; State Department of Statistics

Increased mortality (9.7 per 1000 population compared to 8.7 per 1,000 of general population in 1999) and decreased birth rate (3.5 per 1,000 population, compared to 10.17 per 1,000 population in general population)⁴, with twice as large divorce rates (1.8 compared to 0.9) [according to Dershem/Gurgenidze/Holtzman November 2002], if accurate enough, paint a grim picture regarding the future demographic situation of the IDP population in Georgia."

The International Federation of the Red Cross conducted a survey of the IDP population in 1999. IFRC published this survey in November 1999 under the title "Internally Displaced Persons: A Socio-Economic Survey".

Save the Children conducted a survey on an annual basis from 2000 to 2002. This survey was designed to provide comparable data of IDPs living in collective centres and local households in the regions of Samegrelo and Imereti, Western Georgia.

More detailed results of the SC survey are available on the website "AssistanceGeorgia" [Internet: <http://www.assistancegeorgia.org.ge/>]

Ratio of IDPs to the host of population and location (2003)

- Highest proportion of IDPs compared to host population is in Zugdidi
- From 2000 to 2003, there is a trend of IDPs from Abkhazia settled in other regions have moved to Tbilisi.
- The vast majority of IDPs from South Ossetia found refuge in Kartli and in Tbilisi
- About about 44% IDPs lived in collective centres as of 2003
- Highest number of IDPs residing in collective centres is in Tbilisi, where 85,000 IDPs were accomodated as of 2003

Sumbadze & Tarkhan-Mouravi, July 2004, pp.16-17:

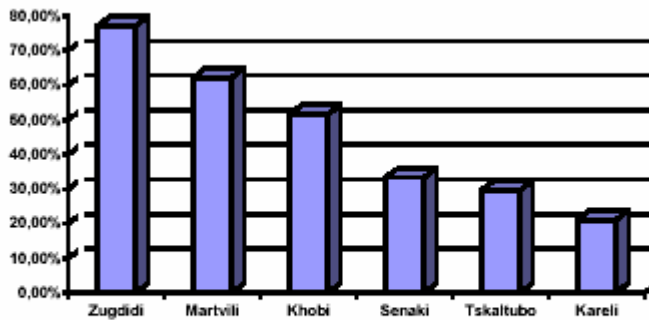


Fig. 1. Ratio of IDPs to the host population¹⁴

14: Data on the numbers of IDPs taken from "IDP Reference Book", Tbilisi, 2003

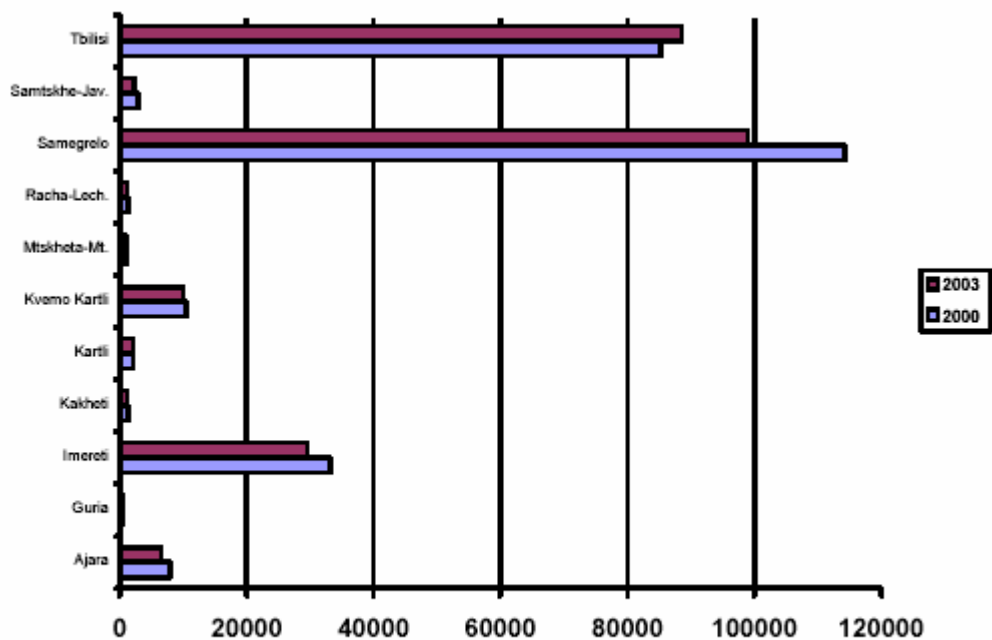


Fig 2. Location of IDPs from Abkhazia in 2000 and 2003

73.2% of IDPs live in urban areas. As can be seen from the above diagram, the settlements under the highest demographic pressure are the districts and towns of Samegrelo, especially Zugdidi, Martvili and Khobi, where IDPs comprise more than 50% of the population. As seen on Fig. 2, there is a trend of IDPs from Abkhazia moving from other regions to Tbilisi.

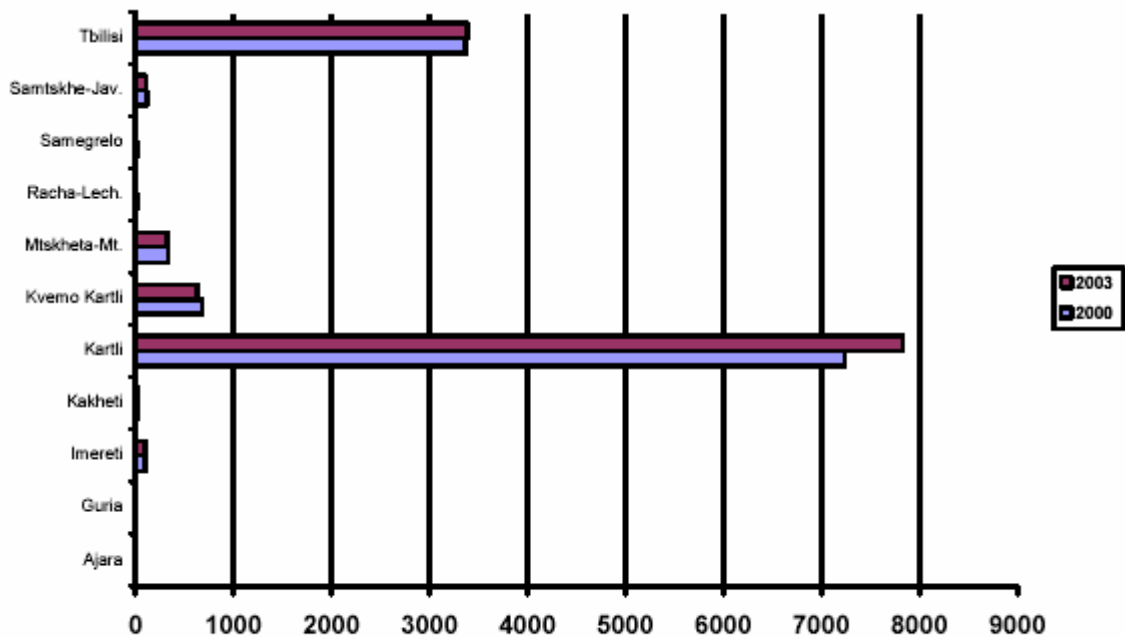


Fig. 3. Location of IDPs from Ossetia in 2000 and 2003

Although the share of IDPs living in private accommodation has declined, the majority, out of registered 82,000 IDP households, currently 56% live in private sector, while about 44% - in collective centres.

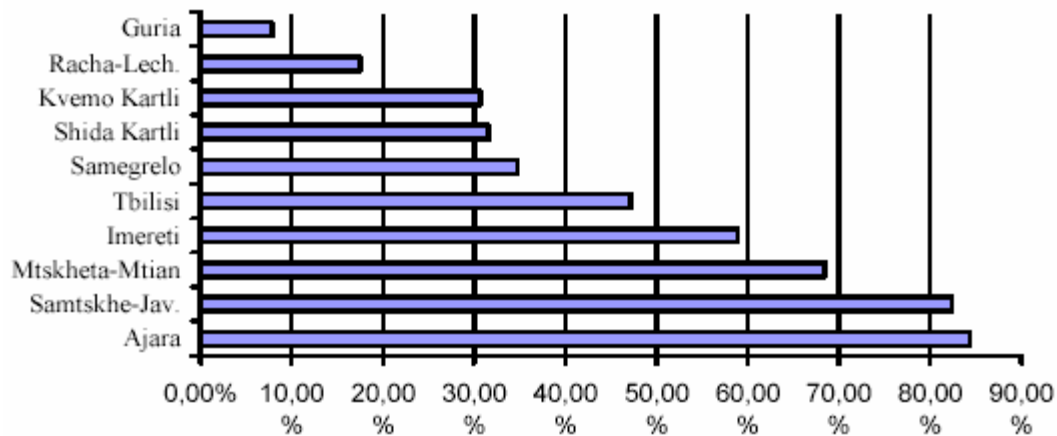


Fig 4. Percentage of IDPs living in collective centres across regions

[...]

shown on Fig 5, the highest relative share of IDPs living at collective centres are found in Ajara and Samtskhe-Javakheti, while the the highest concentration (number) of IDPs residing in collective centres is in Tbilisi, where are accommodated 85,000 IDPs or 26,750 families.

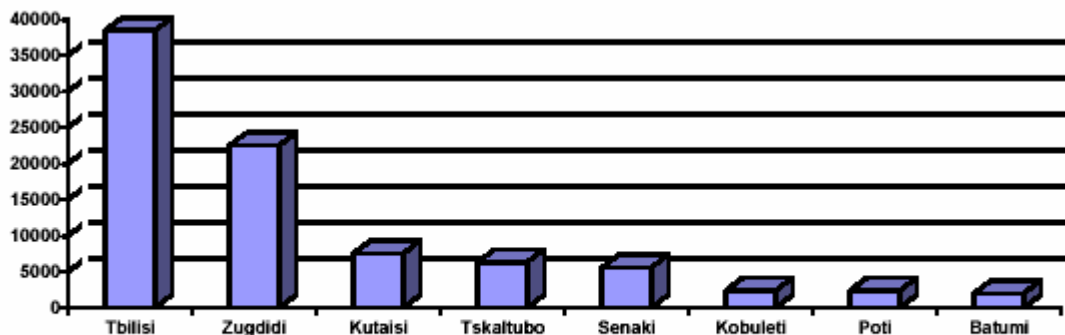


Fig. 5. Number of IDPs in collective centres across towns

Number and ethnic origin of those who fled Abkhazia has been a highly controversial political issue between Abkhazia and Georgia (2000)

- The number of internally displaced willing to return to Abkhazia and to the Gali region varies from only 60,000 to some 130,000
- Authorities and other local institutions have no interest in reporting a decline in the number of IDPs under their care, as this would expose them to a reduction of funds allocated to them

Council of Europe, Commissioner for Human Rights, 13 July 2000, III - Refugees and displaced persons wishing to return to their place of origin:

"Like the number of victims of the conflict in Abkhazia (in addition to civilians killed - twice as many as participants in uniform? - some 8,000 Abkhazian soldiers and 13,000 Georgian soldiers or paramilitary fighters? Two committees are co-operating regularly on both sides to locate more than 1,000 missing persons, according to Mr Avtandil Ioseliani, Chairman of the relevant Georgian committee), the number and ethnic origin of those who have fled Abkhazia, have remained or have returned is a highly controversial political issue. According to Georgian estimates (cf., eg, UN doc. E/CN.4/1997/132, p. 34), the population of Abkhazia has declined (from 535,000 in 1992 to some 146,000 in 1997), in particular following the mass exodus in the course of the period of ethnic violence, by nearly 390,000 persons, in general of ethnic origin other than Abkhazian, including more than 200,000 Georgians. According to other figures (provided in part by the OSCE), the population in Abkhazia now stands at some 225,000 persons (315,000 according to the Abkhazian authorities!), with some 80 to 90,000 Abkhazians (in the past about 18% of the local population), or 35 to 40% of the total. In any case, the '300,000 persons displaced' from Abkhazia - and from South Ossetia! - who are said to have gone to the rest of Georgia seem very 'volatile' (some 100,000 of them are said to have settled there definitively or to have left for other countries?), so that the exact number (173,000 from Abkhazia and 10,000 from South Ossetia?) of those currently entitled to and having obtained the status of internally displaced person ('IDP') is not known (this was confirmed in the 1999 Report of the Georgian Ombudsman [...]). Nor does there seem to be a clear approximation on how many IDPs who would now like to return to Abkhazia and would be willing to settle in the Gali region (some 130,000 or only 60,000?). To cite an example, more than 50,000 IDPs were said to have returned de facto to Gali, but were driven out again following a renewed explosion of ethnic violence in May 1998; nevertheless, since then, some 40,000 persons (according to the estimates of several international observers) have again returned clandestinely and even resettled in Gali for all or at least part of the year. In short, as in the case of the Meskhetians [...], there is considerable uncertainty about the actual number of persons prepared to return to Gali immediately; yet reliable data are essential, for example if it is decided to negotiate the return of IDPs from Abkhazia 'in stages'.

(ii) A rather convincing explanation for this disturbing lack of reliable official figures can be found by analysing more closely not only the political stakes, but also the consequences of granting IDP status: this status automatically entitles the person who has obtained it, by law at any rate, to a whole set of privileges and advantages as well as certain allowances in kind and subsidies, including 12 (or 18?) lari (about US\$ 6) in cash monthly (the minimum monthly wage in the civil services in Georgia is about US\$ 10). It is thus understandable that those judged eligible for this status have no interest in relinquishing it as long as they remain under Georgian jurisdiction, and both the civil services and non-official bodies have no interest either in reporting a decline in the number of IDPs under their care, because they would then face what would be a virtually automatic reduction in their funds, which are calculated according to the number of IDPs they are looking after. This is all the more valid in that the total 'funds allocated for refugees' in the national Budget is said to have increased considerably and even doubled this year (some 100 million lari?), and what was a policy of temporary assistance has now become a policy of economic and social development whose aim is to prevent the IDPs from increasingly becoming second class citizens during the long wait to be able to return home."

Distribution of the displaced by type of accommodation (November 1999)

- 72 percent of the displaced live in urban areas
- 55 percent of the displaced live in private accommodation

IFRC, November 2000, p. 71:

*Distribution of IDP households in Georgia, as of November 1999**

	Kakheti	Tbilisi	Shida Kartli	Kvemo Kartli	Samtskhe Javakheti	Ajara	Guria	Samegrelo	Imereti	Total No.
Total	362	22,978	2,628	2,671	928	2,321	178	29,515	9,886	71,467
Urban	0	0	0	0	0	0	0	0	0	0
Private accommodation	55	13,862	611	1,450	105	441	62	8,280	1,177	26,042
Communal centres	190	9,115	770	835	731	1,720	0	4,651	7,418	25,432
Total urban	246	22,978	1,382	2,285	836	2,161	62	12,931	8,595	51,474
Rural	0	0	0	0	0	0	0	0	0	0
Private accommodation	89	0	979	341	87	102	97	10,862	1,057	13,614
Communal centres	18	0	267	46	5	58	20	5,722	234	6,379
Total Rural	117	0	1,246	386	92	160	117	16,584	1,290	19,993

(Imereti contains Racha Lechkujmi and Kvemo Svaneti regions; Shida Karti contains Mtskheta Mtianeti)

* The figures of the Ministry of Refugees and Accommodation less 20 per cent.

"Of the approximately 72,000 IDP households, 50,000, (over 70 per cent of the total) are concentrated in just five out of the possible 36 cells: namely in private and collective accommodation in Tbilisi (32 per cent), in private accommodation in urban and rural Samegrelo (27 per cent) and in collective centres in urban Imereti (10 per cent). However, the remaining, more scattered, groups are of considerable interest, if only because they tend to receive less public attention [...]."

PATTERNS OF DISPLACEMENT

General pattern

Displacement patterns lead to a concentration of IDPs in a number of Georgian cities (1997-2005)

- Flight from Abkhazia generally chaotic causing breakup of villages
- IDPs concentrated to the towns of Tbilisi, Kutaisi and Zugdidi
- Zugdidi (Georgia) has a large IDP population from the adjacent Gali district (Abkhazia) and Kutaisi (Georgia) has a high concentration from the Ochamchire district (Abkhazia)
- Forty to fifty percent of the IDP population lives in collective centers

Dale, 1997, sect.5.1:

"The displaced in Georgia are compactly settled in several senses. Not only have they almost all stayed in Georgia, there are particularly large IDP populations in Tbilisi, Kutaisi and Zugdidi. In addition, within the districts where they have settled, they tend to live in clearly bounded spaces in close proximity to one another. This is particularly true for the 40-50 per cent of the IDP population living in collective centres, rather than in the private flats of friends or relatives. Collective centres include empty administrative buildings, schools, kindergartens, hotels, and tourist camps, among other buildings. In Zugdidi, just across the border from Abkhazia and therefore the easiest safe place to reach, the proportion in such centres is higher, with about two-thirds of the displaced settled in collective centres.

Flight from Abkhazia was chaotic, and whole villages seldom made the journey and settled together. Instead, the IDP residents of most collective centres come from various districts of Abkhazia and were not acquainted before the war. Nevertheless, some patterns are clear. Zugdidi has a disproportionately large IDP population from the adjacent Gali district. And Kutaisi has a high concentration from Ochamchire district, primarily because transportation between the two places was made available during the war, and because the word went out among IDPs that Kutaisi, while farther away, had a lot of living space available.[...]

Thus the patterns of settlement of IDPs throughout Georgia work to create a relatively bounded and identifiable population."

World Bank, May 2005:

"Almost 3 of every 4 IDPs live in an urban location, with approximately 2 of every 5 living in a collective center. Approximately 73% of IDPs live in urban areas. The three main urban areas, in rank order of number of IDPs, are Zugdidi, Tbilisi, and Kutaisi."

Displacement of Abkhaz population (1992-1999)

- Complicated and multidirectional displacement of Abkhazians took place within the province of Abkhazia
- In order to gain access to food-producing land, many families have left the economically devastated urban areas

- Many Abkhaz returned home after the war, but others entered a phase of more permanent dislocation, due to the destruction of housing and economic infrastructure.

Dale, 1997, sects.2.1-4.2:

"Unlike Georgians, Russians and Armenians, most Abkhaz did not leave the territory of Abkhazia. But Abkhaz experienced substantial internal displacement both during and after the war. As sources on all sides report, in Sukhumi the first days of the war were accompanied by looting and physical violence against the local population. While Abkhaz authorities retreated to Gudauta, Abkhaz who were not engaged in fighting left Sukhumi for Gagra or Gudauta to the north for the duration of the war. Similarly, Abkhaz residents of villages to the south found themselves in the middle of confused criss-crossing front lines. Some also fled north, while others sought safety to the east in Tkvarcheli. But as the war progressed, Georgians effected a blockade against that mountainous city, and local residents as well as the newly displaced sought in turn to flee from Tkvarcheli. Indeed, it was the downing by Georgian forces in December 1992 of a Russian Mi-8 helicopter evacuating women and children from that city that raised the level of general malevolence in the war and catalyzed more concerted Russian military intervention on the Abkhaz side.

After the war ended, many Abkhaz returned home, but many others entered a phase of more permanent dislocation, due to the destruction of both living space and economic infrastructure. Some Georgian authorities claim that all of post-war Abkhazia is simply depopulated. This is true in some places, for example in industrial Tkvarcheli, whose prewar population of 22,000 has been reduced to about 8,000 due to the complete collapse of industry and communication and transportation networks. But in other cases the claims are exaggerated, for example Georgian Presidential Adviser Irakli Machavariani's statement that the present population of Ochamchire district is only about 3,000 people, when more than twice that number live in Ochamchire city alone.

Instead, postwar Abkhaz migration is complicated and multidirectional. Where homes in villages have been destroyed, Abkhaz have migrated either into the cities, or into former Georgian houses and flats in other villages. Even in villages with limited destruction, many youths have left their family homes to seek an income of some kind in Abkhaz cities or even in Russia, from where they send back remittances. Meanwhile, many other families have left economically devastated urban areas with no access to food-producing land, for the countryside. Thus many city dwellers have rapidly "ruralized". This pattern stands in sharp contrast, for example, to the displaced Azeris in Azerbaijan from Nagorno-Karabakh and the surrounding Armenian-occupied regions of Azerbaijan, two-thirds of whom were rural before displacement and two-thirds of whom now live in urban areas. On the other hand the pattern is similar to the choice faced by many Armenian refugees fleeing Azerbaijan. Given the devastation brought about by the earthquake in 1988 and the Soviet collapse, Armenia did not have the resources to resettle all of the hundreds of thousands of refugees in urban settings. Many faced a choice between accepting a new rural life and migrating further to some other country. [...]

The key characteristic of most postwar Abkhaz migration is its partial and unfinished nature. Most of the pragmatic solutions Abkhaz have found in order to survive in the postwar setting involve subsistence agriculture, not sustainable incomes, and temporarily occupied housing, not reconstruction."

PHYSICAL SECURITY & FREEDOM OF MOVEMENT

General

Reported forced labour of ethnic Georgians – i.e. returning IDPs- in Gali, Abkhazia (2006-2007)

IBC, 20 August 2007:

“Georgians residing in Gali district, breakaway Abkhazia, are forced to gather hazel nuts in Ochamchire and Gudauta. According to the order issued by the de facto authorities, two adult males from each Georgian family are obliged to work during five days. The separatists say the benefited money would be spent on the development of 'Abkhazian army'. The hazelnuts are gathered in the yards and gardens owned by the evicted ethnic Georgians.

Paata Shamugia (deputy head of Gali legitimate administration of Abkhazia): - They force the population to leave their families and work like slaves for several days.”

UNICEF/NRC, October 2006:

“The risk to IDP children’s security during the summer harvest is largely due to lawlessness and the blurred distinction between Abkhazian officials and ‘bandits.’ Many interviewees reported that people are sometimes rounded up by armed men and forced to work without pay. Young people have also been subjected to this forced labor which is more prevalent during the lucrative nut harvest period when IDP children are returning to help their families. This labor exploitation is also manifest in the large portion of the harvest young people report being forced to surrender as tax, without compensation.”

Reported forced conscription of ethnic Georgians – i.e. returning IDPs- in Gali, Abkhazia (2006-2007)

U.S. DOS, 6 March 2007:

“The Abkhaz continued forcefully conscripting underage male ethnic Georgians living in the Gali region of Abkhazia into the army.”

UNICEF/NRC, October 2006:

“Almost all interviewees mentioned that boys are at significantly more risk than girls when in Gali. Most cited the special risk of boys being forcefully recruited into the Abkhazian army after the age of 18. Youth reported that Abkhazians search for boys 18 or over with the dual purpose of recruiting them for the army and extorting money from them. If boys are caught and refuse to go to the army, they are forced to pay a ‘fine’ reported to be anywhere from 50 lari to 500USD, depending on who catches them. This fine is not registered and may be applied multiple times to the same individual. Additionally, once they are on the Abkhazian's list as being a Georgian male of army age, they fear their family could face harassment for evading army service. Thus, many male youth remain in Zugdidi while the rest of their family returns to Gali during the summer.”

Reports of trafficking of displaced children (March 2007)

U.S. DOS, 6 March 2007:

“Although the law prohibits trafficking in persons, the country was primarily a point of transit and origin, and very rarely a destination for trafficked persons. Women were trafficked from the country to Turkey, Greece, the United Arab Emirates, North America, and Western Europe to work in hotels, bars, restaurants, or as domestic help. Many were trafficked into the adult entertainment sector or forced into prostitution. Victims most likely came directly from Tbilisi or the impoverished former industrial centers of Poti, Kutaisi, and Rustavi. [...]

Children were seldom trafficking victims, although street children and children living in orphanages were allegedly particularly vulnerable. Some reports indicated that IDPs were a particular target for traffickers.”

Protection needs of displaced children (2006)

- Over 103,000 children are displaced. In order to know more about their situation, UNICEF and NRC assessed the protection and livelihood situation of displaced children in collective centres

UNCT in Georgia, November 2006:

“There are over 103,000 IDP children and youth from 0-16 years old and very little was known about their situation. Recognizing the gap and also in order to inform the Governments’ new national IDP Strategy in terms of protecting IDP children and their rights, UNICEF and NRC implemented a rapid assessment on the protection and livelihood situation of IDP children and youth living in collective centres in Georgia.

In some respects IDP children and youth are very much like other Georgian youth, with similar child protection issues related to poverty, violence, and crime. IDP children and youth identified the lack of employment opportunities and concerns about their housing situation as their biggest problems. The researchers identified specific vulnerabilities and concerns faced by IDP children and youth:

- the social stigma IDP children receive, leading to psychological and social issues;
- isolation because of specialised schools for IDP children (‘schools in exile’);
- risks and dangers related to temporary return to conflict zones (Gali);
- uncertainty related to the possible closure of collective centres (by some seen as further displacement) that would involve a big life change.”

UNICEF/NRC, October 2006:

“While a number of the findings presented in this report may relate to protection issues faced by children and youth in the whole population – especially regarding drug use, sexual behavior, child marriage, and access to health, education and livelihoods opportunities – other findings suggest that IDP children and youth face certain protection concerns that are Young IDPs are forced to wait in limbo remaining vulnerable to being asked to leave their homes and friends at any moment due to government policies over which they have no control.

- The protection environment of IDP children, especially with regards to schools in exile and lack of appropriate housing, has also been systematically compromised by political goals focused on return.
- Young IDPs face stigma by local children which leads to further psychological and social issues related to inferiority, identity and social isolation.
- IDP children and youth risk their security by temporarily returning to conflict zones (especially the Gali region) to visit family and take care of their land and livelihoods.

In order to ensure the social, psychological and physical health and development of IDP children through the implementation of the National Strategy and assist in the integration of IDP children into the general society, direct actions must be undertaken to combat these current protection gaps and to prevent these vulnerabilities from growing during the process of closing collective centers and relocating children and their families.[...]

Reports of threats to children's security and dangers of violence varied significantly by the location and living conditions of the collective center. In some cases young people reported that there were no concerns with safety or incidents in violence citing that they all know each other in the center and thus take care of one another. In other cases, where the center is more exposed to the public, (perhaps being located on a major road, or serving as a public space, such as a hospital) young people mention that they are afraid of strangers that frequent their buildings and say there is no way to ensure the security of their person or their possessions. Additional concerns for security included the lack of access to public transport, especially after 9 in the evening in rural areas, and the presence of gangs involved in drug taking, selling and other criminal activity in and around the collective center. Robbery and assaults were reported by young people to frequently occur at night, causing their family to fear for their safety, especially in the case of girls. In the 18 collective centers visited by our researchers there were only two cases where rape was mentioned as having been attempted.

It should be considered that because this topic is rather taboo it is assumed that risk for sexual violence and abuse is higher than reported. While being an IDP itself may not increase the chance of being raped, the environment of many collective centers may place girls at high risk as paths around collective centers and collective toilets are often poorly lit at night."

Criminality remains high in South Ossetia (2003)

- Georgian and South Ossetian sides have strengthened their cooperation against criminality in South Ossetia
- However, criminality remains an acute problem in South Ossetia as a result of cross-border trade with Russia
- Law enforcement officers from both sides are suspected to be at times involved in criminal activities
- Security incidents and unproductive investigations have provoked dissatisfaction among the local population
- The OSCE continues the collection of small arms and ammunition in the region

OCHA, 15 January 2004:

"The security situation, from a military point of view, remains in general calm and quiet. OSCE continued its monitoring of the JPKF in the Georgian-Ossetian zone of conflict, with an emphasis on transparency of their activities and co-operation among the sides. The JPKF monitors the ceasefire and also maintains a rapid reaction force, which has proved itself capable of responding quickly to threats to the peace and defusing tense situations in the past.

The Georgian and South Ossetian sides have over recent years achieved substantial agreements on joint action against criminality. A Joint Law Enforcement Coordination Body was formed in February 2000 with the JPKF, with participation of South Ossetian and local Georgian law enforcement authorities. In February 2002, the EU donated communication equipment and vehicles to the Joint Georgian-South Ossetian law enforcement unit, the 'Special Coordination Centre' (SCC), which is subordinated to the JCC. To address some of the shortcomings of the

SCC, OSCE has urged the two sides to agree on concrete measures to improve the efficiency of the SCC for addressing the growing criminality in the region.

Criminality, nevertheless, remains an acute problem in South Ossetia, in part due to attempts to control the lucrative trade in 'transit' goods shipped between the Russian Federation and Georgia proper via South Ossetia. Robberies are common in the region, especially car thefts. Casualties are often suspected to be victims of 'business' disputes. Law enforcement officers from both sides are suspected to be at times involved in criminal activities. Furthermore, there have been cases of a kidnapping and assaults on officers in the zone of conflict. These incidents and unproductive investigations have provoked dissatisfaction among the local population. It has also become common that frustrated villagers block the major road for hours in protest against various events. There have been constant concerns among the international community that the present trend of rampant crime and series of incidents could incite ethnic tension and violence. The 'Falloy' market disputes are often of high importance in security matters. This is often combined with 'legal actions', for instance, 'escort' fees by the South Ossetian de facto authorities and 'Customs' fees by the Georgian authorities have caused further dissatisfaction among the population.

Although the security situation in general has been calm throughout 2002 and 2003, it has significantly deteriorated in mid-summer 2002, along with heightened tensions between Russian Federation and Georgia, which culminated in the Russian President's ultimatum to Georgia to take action against 'terrorists' or face Russian unilateral action. This was compounded with fear felt by the local authorities and population over hostile intentions by the Chechen boyevics who were allegedly seen in the vicinity of South Ossetian eastern 'border,' and the possibility of a Georgian 'anti-criminal' operation in the area. Although no major incidents related to those issues was recorded, these events resulted in some genuine concerns by the population for their safety as well as in partial mobilisation of South Ossetian military reserves called upon by local authorities. By late October 2002, the tension about Chechens was somewhat defused, and the South Ossetian de facto authorities were then more concerned over the 'anti-criminal' operation in South Ossetia (officially, Georgian authorities place this operation in 'Shida Kartli'). The mobilisation of troops in South Ossetia was retained for some time mainly due to the fear of Georgians using this operation as a pretext to take South Ossetia by force. By year's end, the tensions over the above issues abated, in parallel with positive developments in adjacent areas, which normally reflect on the situation in the zone of conflict. In recent months, heightened tensions in Georgia proper of late 2003 prompted local de facto authorities in South Ossetia to declare temporary 'State of Emergency', as they feared possible repercussions of the crisis in Georgia proper in South Ossetia. To date, however, there have been no indication of neither any serious deterioration or improvement of the existing situation in near future as regards to the new political management in Georgia proper.

In the framework of the conflict resolution mechanism, the OSCE Mission to Georgia has worked for enhancing the operational effectiveness of the Special Co-ordination Centre (SCC) in the zone of the Georgian-Ossetian conflict. For this purpose, consultations were held between the Georgian and Ossetian sides, facilitated by the representatives from the Strategic Police Matters Unit (SPMU) of the OSCE and the OSCE Kosovo Police service School. OSCE has also continued with the implementation of the projects for the collection of small arms and ammunition of the zone of conflict - which commenced in 2000, for providing small-scale, community needs based assistance projects such as providing the most modern ultrasound equipment for children's clinic, arranging summer camps for vulnerable children from the conflict zone, small-scale various infrastructure rehabilitation works for the villages, etc. So far hundreds of small arms as well as munitions, grenades, landmines, and one 100mm gun have been collected. The OSCE is considering further plans to implement projects for the benefit of communities from the zone of conflict."

Insecurity in Abkhazia: a concern for the safety of returnees (2003-2004)

- Violations of freedom of expression and insecurity in 2004
- The kidnapping of UNOMIG staff in June 2003 led to the suspension to UNOMIG patrols in the Kodori Valley
- In the Gali district, the level of violence has decreased in 2003 due to a moratorium on partisan activities
- Most criminal incidents are increasingly more of purely criminal rather than political nature
- Criminal activities typically increases during the hazelnut and mandarin seasons
- Insecurity in the Gali district continues to raise concerns for the safety of returnees and humanitarian aid workers
- UNOMIG increased its patrolling in the Gali district (October 2003)
- The UN has still not been able to establish a permanent human rights office in the Gali district

Development October 2003-December 2004

UNSC, 14 January 2004, paras. 20-23:

"There was a significant deterioration in the security environment in the Gali sector in early October, with the killing of 10 persons over an eight-day period. In the most serious incident, two Abkhaz militia personnel, one local woman and two of the perpetrators were killed on 5 October in an ambush near the Dikhazurga Abkhaz security post, east of Gali city close to the ceasefire line. In separate attacks, two men were killed on 3 October. On 9 October, one woman was killed during a robbery, and in addition, two dead bodies were found in Kokhora village, north of Gali city.

It will be recalled that, on 8 October 2003, the sides, UNOMIG and the CIS peacekeeping force signed in Gali a protocol under the terms of which both parties agreed to cooperate more closely with each other in the fight against crime and with UNOMIG to improve the prevailing security climate (see S/2003/1019, para. 10). The implementation of this protocol is monitored at the weekly quadripartite meetings. As a further step to improve security, UNOMIG increased its patrolling, with the redeployment to the Gali sector of six additional military observers from other parts of the mission area.

The security situation improved by mid-October, though there were further periods of instability. Six more killings were reported during the balance of the reporting period, including a murder on 17 October; the killing of one man on 3 November and of another one on 14 November; the killing of two men in separate incidents on 12 December; and, most recently, the murder of the mayor of Gagida, a village in the lower Gali district, on 20 December. Most of these incidents took place in locations near the ceasefire line. Figures for the overall reporting period included 16 killings in 10 separate incidents, 15 robberies, 3 shootings and 5 abductions. In addition, on 23 November, three persons were detained by the Abkhaz militia after an incident on 17 November, in which a CIS peacekeeping force vehicle was fired upon. They had all been released by 29 November. On 27 December, 25 local residents were temporarily detained by Abkhaz militia following the kidnapping of three Abkhaz guards on 25 December. The latter were freed unharmed on 28 December. Some villages organized self-protection units and/or employed security forces in the Gali sector remained on a heightened state of alert throughout the reporting period, initially in preparation for, and later as a result of, the Georgian parliamentary elections.

There was similar increase in the number of violent and criminal acts in the Zugdidi sector, though the number of killings was well below that recorded in the Gali sector: 6 killings in four separate incidents, 16 robberies and 3 shootings were recorded."

UNSC, 14 January 2004, para. 27:

"The human rights situation remained precarious, particularly in the Gali district. Monitoring by the United Nations Human Rights Office in Sukhumi of several murder and abduction cases in the Gali district confirmed that the rule of law remains too weak to ensure the protection of the basic human rights – to life, physical integrity and security – of its residents. The Human Rights Office also noted that many children in the Gali district still do not have the right to education in their mother tongue. The ability of the Human Rights Office to raise awareness of, and encourage adherence to, international human rights norms will remain limited until it is permitted to establish a full-time presence in the Gali district, as recommended by the November 2000 joint assessment mission (see S/2001/59, annex II)."

UNSC, 17 January 2005, para.17:

"Protracted uncertainty in Abkhazia, Georgia, was not conducive to fostering a climate of stability, rule of law and respect for human rights. Adoption by the de facto Abkhaz Parliament of the long-overdue "criminal code" and "criminal procedure code" was further delayed. Restrictions on independent media, including the suspension of printing of three Abkhaz independent newspapers for various periods of time and the tightening of de facto government control of electronic and print media, resulted in serious violations of freedom of expression. In the Gali district, weak law enforcement continued to contribute to numerous cases of extortion, murder, robbery and abduction, generating a feeling of insecurity among local residents. Cases of arbitrary arrest, prolonged detention and lack of access to legal counsel were also observed."

About the role of guerilla groups operating in the Gali district, see also "What did Georgia hope to gain from anti-smuggling operation?", Radio Free Europe/Radio Liberty, 6 February 2004 [Internet]

2002- October 2003

UNSC, 14 January 2004, para. 27:

"The human rights situation remained precarious, particularly in the Gali district. Monitoring by the United Nations Human Rights Office in Sukhumi of several murder and abduction cases in the Gali district confirmed that the rule of law remains too weak to ensure the protection of the basic human rights – to life, physical integrity and security – of its residents. The Human Rights Office also noted that many children in the Gali district still do not have the right to education in their mother tongue. The ability of the Human Rights Office to raise awareness of, and encourage adherence to, international human rights norms will remain limited until it is permitted to establish a full-time presence in the Gali district, as recommended by the November 2000 joint assessment mission (see S/2001/59, annex II)."

OCHA, 20 January 2004:

" On 5 June 2003, four UNOMIG staff were kidnapped. The incident occurred when a joint UN Mission and CIS peace-keeping force were on a regular patrol in the upper Kodori valley, scene of previous clashes in the Georgia-Abkhazia conflict. The CIS soldiers were released shortly thereafter but the UN personnel, consisting of two military observers, a paramedic and a local interpreter were kept by unidentified armed group for almost a week. After various demands allegedly put forward by the kidnappers and negotiations by Georgian law enforcement bodies as well as official requests from the UN, hostages were released unharmed and brought to Tbilisi on June 10. All UNOMIG patrols to the area were suspended after the incident. This was the fourth time UNOMIG staff were kidnapped since the commencement of the Mission. Each time the kidnapping occurred in the same area and each time the hostages were released unharmed after negotiations. Another major incident during the UNOMIG's Mission was the downing of the UN helicopter in Kodori in October 2001, which killed all nine persons on board.

The two exceptions to a generally relatively quiet situation in Abkhazia are the Kodori Valley and Gali District, which are widely considered insecure areas for both the local population and humanitarian agencies. A number of violent incidents, including some tragic ones, with criminal and possibly political motivations, continue to take place in Gali District. [...] Criminal activities typically increased during the hazelnut and mandarin seasons. It has been noted of late that most criminal incidents are increasingly more of purely criminal rather than political nature.

In Gali District, criminality, including cases of robberies, shooting accidents, abductions, explosions, and sporadic paramilitary activities, continue to raise concerns about the safety of the growing returnee population that have already returned spontaneously, as well as the safety of humanitarian aid workers. Insecurity in the area also hampers visits, assessments, and possible additional support to the population of the area by international organisations. CISP KF and UNOMIG regularly conduct patrols in the Restricted Weapons Zone and the Security Zone to monitor the 1994 Moscow Agreement. CISP KF and UNOMIG have themselves been victims of criminality and/or partisan attacks, as have some NGOs. The Abkhaz de facto authorities have also been the target. [...]"

SUBSISTENCE NEEDS

General

Economic benefits for IDPs (2006-2007)

- Programme transferred from the Ministry of Refugees and Accomodation to other Ministries has been delayed
- First stage of the programme will provide free healthcare and the second stage will provide cash assistance to the destitute households
- The former allowance system to IDPs will continue until the end of 2006, since as of May 2006, only 50,000 IDPs had submitted their applications to the new programme

UN Country Team in Georgia, 31 May 2006:

"On 30 May 2006, a joint press-conference was organised by the Ministry of Labour, Health and Social Affairs (MoLHSA) and State Agency of Employment and Social Assistance (SAESA) to brief the media on the current status of the "State Programme on Identification, Socio-Economic Assessment and Development of a Database of the most Destitute Households of Georgia" (the Programme). According to the Head of the SAESA, which is responsible for the implementation of the programme, distribution of cash assistance to the destitute households, scheduled to begin from 1 June 2006, is postponed according to the optimistic prognosis, until August, or the latest, September 2006. In other words, since the launching of cash distribution was postponed (due to various reasons given below), the Programme was split into two stages, the First Stage envisaging the provision of Health Insurance Package and the Second Stage, as initially planned, providing cash assistance to the destitute households.

Starting from 1 July 2006, households that applied for the Programme and whose "rating scores" is assessed by a Social Agent as 100,000 or below, will receive a "Healthcare Package" that includes free medical check up by a family doctor at medical ambulatory or regular bi-monthly home visits. Also, if advised by the family doctor, a patient can undertake free professional consultation with various physicians. The Package also includes: free diagnostic procedures such as blood tests, electric cardiographics, X-ray investigations, emergency medical service and emergency surgery, as well as planned surgeries of almost all types based on the medical prescription. It is expected that such service will significantly improve health status of the most vulnerable layers of society. It should be noted that part of those applicants, who are eligible for Healthcare Package, are still eligible for Cash assistance.

The Second Stage, i.e. cash assistance that was the initial concept of the "State Programme on Identification, Socio-Economic Assessment and Development of a Database of the most Destitute Households of Georgia" as already mentioned, is expected to start from 1 August or 1 September 2006. Number of reasons, including an enormous flow of applications close to the initial deadline (1 March), insufficient information distribution among IDP communities, who are also potential beneficiaries of the programme if their "rating score" makes them eligible, caused the delay in timely launching of the Programme. In addition, some potential beneficiaries were not able to obtain personal Identification Cards that are necessary for registration. The deadline for submission of applications has been prolonged until 15 July 2006.

Since the new Programme is needs-based and is supposed to replace the old category-based approach to social assistance, all destitute households/persons despite being defined as certain category (persons with disabilities, IDPs, single pensioners) will be covered by the Programme. The Government initially planned to quit distribution of IDP monthly allowances (14 GEL) from 1 June 2006 when the new Programme was supposed to start, but due to the postponement of the launching and due to the low participation of IDPs in the registration process, it was decided to prolong allocation of IDP allowances till the end of 2006.

Meanwhile, 18 new Information Centres were opened near the collective settlements of IDP population in order to ensure that accurate information reaches them without further delay. So far, only 50,000 IDPs have submitted their applications to the programme. At the same time, the Government decided to maintain so-called "family allowances" (category-based assistance for the disabled persons, 1st category blinds, orphan children, single pensioners) until 31 December 2006, in order to ensure that no one is left without crucial aid. In addition, the State is going to provide electricity subsidies for certain amount of electricity fee to the part of the destitute households registered in the database through voucher system (details will be available soon).

The Programme is designed for 10 years and aims to identify and assist the most destitute layer of Georgian society. The Government of Georgia anticipates that by the end of this pilot programme, and in result of economic development and employment programmes extreme poverty will be eradicated.

Since 29 July 2005, the most destitute families in Georgia, the number of which is about 10% of total population (according to existing official data) can apply for assistance in 1,168 communication centres located throughout Georgia. So far, about 365,000 applications were received. Starting from October, Social Agents that were recruited and trained for this specific reason started verification of the economic status of the applicant households according to the developed methodology. Social Agents visit each family and conduct interviews, as well as assess the overall socio-economic conditions. Overall "welfare index" is based on the combination of multiple indicators and does not count on income level. Social Agents calculate so-called "rating-score" which is a combination of consumer index and needs index. Consumer index is a sum of the declared information about income and expenses, as well as information about estate and demographic status. It is calculated based on information about household members, living conditions, statement about expenses and income, economic conditions, etc. Needs index is a nominal amount of money that will assist the household in overcoming destitution and enable to live above the level of destitution.

NRC, July 2007:

"The Georgian Law on IDPs, determines IDPs' legal, economic and social guarantees. According to the Law (under the responsibility of Ministry of Refugees and Accommodation (MRA)), the state monthly allowance per IDP residing in CCs amounts to 11GEL (6,5USD); IDPs in private accommodation receive 14 GEL (8 USD). For IDPs residing in CCs, utility expenses, such as electricity and water, are covered in addition. Those IDPs who have voluntarily registered themselves in the abovementioned "State Programme on Identification, Socio-Economic Assessment and Development of a Database of the most Destitute Households in Georgia," do not any longer receive IDP monthly allowances. The IDP monthly allowances are given and prolonged until end of 2008 to those IDPs who are yet to register in the Program."

NRC, 13 September 2007:

As of September 2007 however, IDP monthly allowances were still administered by the MRA, and distributed separately from the social allowances provided by the state programme on poverty reduction. According to Government decree # 145, from 28 July 2006 on Social assistance to the Georgian population, IDPs are eligible to enroll in this programme if they give up their monthly

IDP allowances. This programme is under the responsibility of the Ministry of Labour, Health and Social Affairs.

Some 100,000 IDPs may have registered to get social allowances under the new programme, but these numbers cannot be verified.

Vulnerable groups among IDPs are of great concern to UN Special Representative on the human rights of IDPs (2006)

- Little information is available about the more than half of IDPs in Georgia who have been accommodated with host families since their flight

CHR, 22 March 2006:

“The living conditions of IDPs who have been accommodated in temporary collective shelters for many years, were of great concern to the Representative. Vulnerable groups among the displaced, such as elderly, traumatized and disabled persons, as well as female-headed households, are particularly affected.[...]”

Little information is available about the more than half of IDPs in Georgia who have been accommodated with host families since their flight. Civil society representatives informed the Representative that living space for IDPs and their children in host families has often been extremely overcrowded for many years, which has led to further impoverishment, interpersonal tensions, and negative effects on the psychosocial development of children.”

Difficult living conditions for returnees to Gali, Abkhazia (2005)

UN Country Team in Georgia, 30 November 2005:

“The situation in the Gali region is improving, but there remain many reasons for concern. Lack of access by the central government hinders efforts to support the population, who in addition, lack any official status there. The number of returnees is currently estimated to top c. 40,000, but there are also others who shuttle between Zugdidi and Gali on a seasonal basis to work their land plots and secure livelihood for their families. The socio-economic conditions remain difficult, mainly due to the inaccessibility of basic services.”

Georgia is an example of extended emergency in humanitarian terms (2004)

- While IDPs cannot as a group be considered as more vulnerable than other categories, the most vulnerable are often found in conflict areas and in areas of high concentration of IDPs

OCHA, 19 November 2004:

“Georgia today, almost a decade after its major clashes in the mid-1990s, still presents outstanding challenges from a humanitarian point of view. It continues to be overwhelmed by the economic consequences of the break-up of the former Soviet Union.

Upon the end of the civil war in Georgia, as of 1994, the international community started providing massive relief aid, in parallel with some development-oriented support. Since the mid-1990s, the international community has shifted away from primarily humanitarian aid into more transitional/developmental programmes, reflecting the changes in both society and the perceived priorities.

However, the purely humanitarian needs have persisted. Their scale has not been declining in recent years, and may actually be incrementally increasing. Thus, in humanitarian terms, Georgia is an example of an extended emergency.[...]

“The assistance situation in both regions [i.e. Abkhazia and South Ossetia] is not the critical emergency that it was in the period immediately following the two conflicts. Recently some international organisations have begun to reassess the qualifications of their beneficiaries, as more cash is finding its way into the local economy. However, existing humanitarian programmes are essential and some unmet basic needs of humanitarian concern remain.”

OCHA, 19 November 2004:

“The issue of appropriate targeting and the lack of refined vulnerability criteria is still reported as an obstacle to organizations trying to direct limited resources to the most vulnerable. In addition, endemic corruption, coupled with people's general sense of entitlement, also complicate attempts to reach the most needy. However, the general trend shows that there is more understanding from the Government's side that proper and continuous targeting is a programme necessity, which is also manifested in positive policy action. In response to the fact that the official assistance categories often do not reflect reality, the respective aid organizations have defined their own criteria that better delineate the level of need among a given population. Georgia is characterized by a prolonged period of unresolved conflicts, lack of durable solutions to the IDP issue, and a very limited number of returnees. Nonetheless, those most directly affected by the conflicts can no longer be considered, as an entire group, more vulnerable than other categories, even though in the conflict areas and areas of high concentration of IDPs a proportionally higher number of the most vulnerable are found to reside.”

Health

Overall IDP health status is worse than the one of the general population (2002-2006)

- IDPs, primarily those living in collective centres, are more likely to be ill or have a chronic disease than the general population
- At the same time IDPs do enjoy better physical access to and availability of health services, but quality healthcare services are largely inaccessible to IDPs
- According to UNICEF/NRC survey in 2006, though many IDP children and their families have medical policies, and certainly use them when possible, there are numerous barriers to receiving health care
- IDPs mentioned having to wait months to get assistance for their children
- IDP morbidity rate exceeds the average indicators for the general population 2 - 2.5 times
- Some studies even suggest that a greater percentage of IDPs in collective centres receive medical care than the rest of the population

UNICEF/NRC, October 2006:

“Though many IDP children and their families have medical policies, and certainly use them when possible, they nevertheless mentioned numerous barriers to receiving health care. Even with these policies, IDPs mention having to wait months to get assistance for their children. Many medications and procedures still carry costs which either prohibit access to treatments by the poorest IDPs or result in families incurring serious debt to heal themselves and their children. Additionally, IDPs mentioned that it is easier to benefit from the services of the IDP polyclinics than hospitals used by the general public as they have often been refused care at these medical

institutions. This is perhaps due to health care providers and IDPs themselves having had poor information as to the patient's rights guaranteed by their health policies [...]. Doctors also may have refused to provide treatment in fear that they would not be reimbursed later by the government. Unable to claim social help, families often go into debt to take care of medical expenses. This debt may take years to pay off and may put stress on their social networks and relations.[...]

IDPs have developed various coping strategies to deal with gaps in health coverage. In one collective center in Zugdidi, IDPs themselves created outpatient care services with the help of the NGO "Welfare Foundation". The IDPs commit to paying 2 GEL a month, per household, and they are given various medications as required free of charge. The social networks of the communities are also critical to obtaining health care. In the event that a more expensive procedure needs to be done, IDPs may organize themselves to support one another by giving money to the one in need."

UN Country Team in Georgia, 30 November 2005:

"Since January 2005, the State does not cover non emergency medical interventions, such as chronic or post trauma psychosomatic diseases. Special clinics serving IDPs often lack modern and adequate medical equipment and other resources."

OCHA, 19 November 2004:

"Quality healthcare services are largely inaccessible to IDPs, mainly because of the high costs involved. Moreover, IDPs are often unaware of those few benefits they are entitled to. The funding provided for healthcare policy holders has been only partial. The quality of medical treatment for IDPs is negatively influenced by the insufficient material-technical base of healthcare institutions for IDPs and lack of medicines. Based on information provided by the Abkhaz Ministry of Health in Exile, the IDP morbidity rate exceeds the average indicators for the general population 2 - 2.5 times. IDPs mainly suffer from diseases of the circulatory, respiratory, and digestive systems."

Zoidze & Djibuti, 2004:

"Available evidence suggests that compared to the general population, the overall health status of IDPs is worse; with a higher share of IDP households that can't afford and consequently do not seek health care. When they do seek care, they pay more frequently and in higher amounts. IDPs may experience more obstacles in obtaining health care in higher level general (non IDP) health facilities. Publicly provided health benefits hardly match their health needs. IDPs generally have lower income and inferior living conditions exposing them to higher health risks and long term depreciation of health capital. In certain places throughout the country, IDPs feel stigmatized and marginalized from the local population, limiting their overall ability to address health related problems.

At the same time IDPs do enjoy better physical access to and availability of health services. In theory, IDPs are legally entitled to a wider package of publicly provided health care benefits and are able to use at least some of these benefits. A higher share of IDP households obtains health care free at the point of service. IDPs had considerable relief health assistance in the past and still enjoy some limited and occasional humanitarian health assistance opportunities at present. IDPs have developed strong social support networks amongst themselves and heavily rely on these networks while dealing with health related problems. Numerous gaps have been identified in available valid data concerning the IDP health profile in Georgia. The need for further research was identified and selected policy recommendations were outlined. [...]

Apart from official data from MoHA, a number of original surveys and researches suggest that IDPs (particularly in collective centers) suffer more than local population at least from certain

illnesses, including (i) psycho-neurological and cardiovascular disorders, (ii) infectious and parasitic diseases, and (iii) injuries and accidents.”

Dershem/Gurgenidze/Holtzman, November 2002, pp. 7-8:

"Most surveys report that **IDPs, primarily those living in collective centers, are more likely to be ill or have a chronic disease than the general population.** For example, in 2002, SC's survey found that 40.6% of IDPs families in collective centers had at least one member with an acute illness in the previous three months compared to 32.8% of families in the general population. As for chronic diseases, 33.1% of IDP families in collective centers had at least one member with a chronic disease compared to 18.4% of the families in the general population. When accounting for both illnesses and chronic diseases, a higher percentage of IDP families living in collective centers had both (55.4%) than in the general population (35.7%).

Several studies report that **IDPs have as many health care services available to them, and physical access to these medical services, as the general population.** That is, studies show that above 95% of IDPs living in collective centers have physical access to hospitals, obstetric clinics and polyclinics.

In SC's study in 2002, 80.3% of IDPs living in collective centers in west Georgia reported having medical expenses in the previous three months (Dec. 2001 to Feb. 2002) compared to 68.2% of households in the general population. Moreover, since households in the general population have, on average, a greater household income than IDPs **economic access to health care appears to be greater among the general population than IDPs living in collective centers.** However, some studies show that a greater percentage of IDPs living in collective centers receive free medical care than households in the general population. For example, in SC's survey in 2002, 26.4% of IDP households reported using medical services without payment compared to 15% of households in the general population."

IDP children and youth health needs (October 2006)

- Poor sanitation conditions at collective centers, difficulty to be open about female sexual health within the family, and infrequency of health check ups cause poor sexual health of girls
- Drug use among youths and drug trade leads to an insecure environment
- Early marriages – including through kidnappings – of IDP girls

UNICEF/NRC, October 2006:

"Youth and their parents were quick to stress their perceived connection between the health problems they experience and the difficult environmental and sanitary conditions in their collective centers. Common ailments they mentioned included; bodily infections due to mosquito and other insect bites, digestive problems and diarrhea caused by poor sanitation and water quality, and respiratory ailments. In some cases, where families live in hospitals, parents expressed fear for their children's health as they share corridors and toilets with patients who may have serious and acute infectious disease. Poor nutrition was also mentioned as a concern;

Sanitary conditions specific to the collective centers were identified as posing unique problems to female sexual health. Interviews with a gynecologist highlighted that the poor sexual health of girls has been seen in girls of younger ages in recent years. She credited the poor sanitary conditions at collective centers, as well as the difficulty of openness about problems with female sexual health in the family and infrequency of health check ups, as leading to the diseases to become serious by the time they reach her. [...]

[Issues of drugs, HIV/AIDS in collective centres:]

“Use of Marijuana is universally present among boys at collective centers and it is often not considered as a drug or serious concern. Young people responded that most boys use or have used marijuana (*plani*), and though girls may smoke *plani*, it is much more rare. Most *plani* reportedly comes from the Gali or Svaneti regions and can be bought for as low as 20 lari for a matchbox full. Respondents also reported that many young guys use or have tried IV drugs. The choice of drug young people inject varies but includes Subotex, heroin and over the counter drugs. The choice of the drug may depend on the price, though Subotex was most frequently mentioned in our discussions.

Drug use and drug trade leads to an insecure environment. Needles are left in yards for children to find and play with and crime is reportedly attributed to groups of young people providing for their drug habit. The use of intravenous drugs has also been attributed to large numbers of adolescents being diagnosed with hepatitis B and C. The use of IV drug use also represents the secondary health risk to the children living in collective centers where the used needles are scattered in their yard and entrance corridors.[...]

[Early marriages and kidnappings of girls]

Child marriages occur in the collective centers. While more ‘child marriages’ occur from the age of 14, some girls have been married at as young as 12 years of age. One reason girls may get married at a young age is to try to escape or overcome poverty in their own family.

Parents may also push girls to get married to alleviate stress related to the family economic and space limitations. Sexual activity outside of marriage is extremely taboo for girls, and such behavior can result in harsh treatment from the family, stigma and rejection from one’s community, and difficulty finding a husband later in life. Thus, as young people begin to desire intimate relations in adolescence, they may be pressured to get married in order that their desires will be fulfilled in a socially and culturally acceptable way. Early marriage may also be the result of forced ‘kidnapping’ of girls for marriage.”

IDPs are entitled by law to a series of free medical care (2004)

- According to clause 2 of Article 5 of the Law of Georgia on IDPs, the cost of medical treatment of vulnerable IDP at the medical institution shall be compensated by the state
- Since 1995, the State Health Program for Vulnerable carries special provisions for vulnerable IDPs and IDPs residing in Samegrelo and Upper Svaneti
- The number of IDPs eligible for these programs has increased from 120 thousand to 190 thousand as of January 2003
- IDPs theoretically are entitled to significant additional public benefits in health care, but in practice, their access to health services is still lower than the one of the rest of the population

Zoidze & Djibuti, 2004, pp.29-30:

“The concept of the Basic Benefit Package (BBP) was introduced. Through the State Health Programs (SHP), the state defined types of health services and entitled population groups to be financed through public sources. IDPs were identified as one of the vulnerable population groups to be targeted through the SHP. The legal framework for the introduction of targeted health care benefits for IDPs was set in clause 2 of Article 5 of the Law of Georgia on Internally Displaced Persons – the Persecuted: “cost of medical treatment of vulnerable IDP at the medical institution shall be compensated by the state according to the pre-determined procedure and within state

standards and tariffs". According to this clause, each year, the state budget law (budget allocations for MoLHSA, MoHA) and forthcoming normative acts (ministerial decrees of MoLHSA approving the annual SHP and the state medical standards and tariffs for medical services) define scope and volume of services to be covered from the central and local governmental budgets.

Since the introduction of the State Health Program, any public entitlements in health for the general population were also available for IDPs. E.g. IDP children from 0 to 3 years are targeted under the State Health Program for Children Aged 0 to 3 years; IDP pregnant women were entitled to prenatal care and delivery at the expense of the central government through the State Health Program for Safe Motherhood; IDPs requiring psychiatric care, renal dialysis, cardiac surgery, treatment of TB, diabetes were covered under their respective programs. IDPs also have access to limited outpatient care benefit that is financed through the State Rural Health Program (central budget) and municipal outpatient services programs financed by local budgets.

Since 1995, the State Health Program for Vulnerable (7.4 million GEL, or appr. 9% of total central government's health budget for 2004) carries special provisions for vulnerable IDPs and IDPs residing in Samegrelo and Upper Svaneti. Initially, vulnerable IDPs, for the purpose of the State Health Program for Vulnerable (SHPV) were defined according to the categories used for general population, which included single pensioners, orphans deprived of parents, single mothers, disabled and disabled war veterans. Also, the entire IDPs population residing in Samegrelo and Upper Svaneti (almost 100,000 persons) was considered vulnerable and covered under this program [Which may be logical, as considerable number of IDPs in Samegrelo and Upper Svaneti resides in collective centers; they have higher poverty and unemployment levels and are exposed to health care expenditures that are higher than elsewhere in Georgia]. The coverage of IDPs in this program has expanded over the years and since 2002, all IDP pensioners, students under the age 23, deprived of both parents, and all single-headed households are included. The number of IDPs eligible for these programs (now merged into a single program called the "State Health Program for the Populations' Inpatient Care") has increased from 120 thousand to 190 thousand as of January 1, 2003. These 190,000 IDPs have special State Insurance Policy cards that entitle them to a package of outpatient and inpatient care benefits. Up to 500 medical conditions requiring inpatient care are covered under this program. Limited dental care benefits (up to 40,000 GEL per year) were also provided to IDPs residing in Tbilisi under the State Program for Population Ambulatory Services. In addition, the Ministry of Refugees and Accommodation has annual budget of 300,000 GEL for individual IDP assistance. A significant portion of these funds are used to cover medical care or related costs for IDPs based on a review of individual applications.

In other words, IDPs theoretically are entitled to significant additional public benefits in health care, above all, public benefits that are mandated for the general population. However, considering reports that more IDPs are unable to afford health care [...], it remains unclear how adequate these entitlements are, compared to the real health needs and poverty status of IDPs.

Moreover, IDPs, as the rest of the population never had access to full benefits mandated through the respective laws and regulations. The inability of the Georgian Government to significantly improve the mobilization of general public revenues¹ and the low priority on financing health in the public agenda² resulted in severe and continuous under-funding of the health sector for years. Diminishing public resources for health, the permanent default on obligations taken by the state and the resulting credibility gap between the state, providers and clients undermined the initial reform objectives of solidarity and equity in health. The under-funded and overstretched BBP – State Health Programs, failed to improve access and affordability of health services for the majority of the Georgian population. The complexity and lack of transparency in the BBP composition and health entitlements presented another barrier for obtaining publicly financed health services."

Field surveys reveal psychosocial trauma of displaced persons (2000-2003)

- There has been insufficient access to psychological counseling for IDPs
- 90 percent of the IDPs in collective center were over the threshold of depression in 2000
- Among IDPs living in collective centers, depression increased with age
- IDPs living in communal centres have been more exposed to depression than the rest of the local population
- Psychosocial trauma tend to increase with age and to affect primarily women and single heads of households
- Other surveys show that men have also been affected by displacement and have been less successful than women to adapt their new environment

Sumbadze & Tarkhan-Mouravi July 2003, pp.26-27:

“One of the most serious causes of IDP vulnerability is related to their state of mind, motivations and emotional conditions, which not only influence their life today, but to certain extent are forming their future, in particular related to their future return, as past behaviour of a person is the best predictor of his future conduct. Situation which led to the armed conflict, the conflict itself and the life conditions after the conflict all contributed to significant erosion of human capital through creation of dependency, passivity and depression that hinder social adaptability and economic self-reliance of the IDP population. Memories of exposure to violence and death, separation from beloved ones, condition of being uprooted, ambiguous identity, economic hardships, existence in a dilapidated environment and a decade of uncertainty led to a host of psychological problems in IDPs. If not attended, these problems will hinder the integration of IDPs in local communities, will block their economic activities and put under question the success of return to Abkhazia.

One more evident psychological problem of IDPs is linked to their conflicting sense of security and identity. On one hand, the feeling insecure in a new social and physical environment, losing cultural values and traditions, pushes IDPs to cling to their community, live close to one another in collective centres; while, on the other hand IDP identity evokes in them defensive reaction, and to be called an IDP is perceived by many as an offensive labelling aimed to marginalize them in the society.”

OCHA, November 2003, p. 14:

“It should be emphasized that apart from scare interventions, no comprehensive initiatives have been undertaken in the field of psychosocial rehabilitation of IDPs. IDPs, like all citizens of Georgia, are technically entitled to free psychiatric services, but these services envisage only in-patient treatment and do not include psychological counseling. Researches related to Post-Traumatic Stress Disorder prove that with a decisive impact on their economic activity, IDPs suffer from depression and psychosomatic illnesses (e.g. alcoholism and winners) adversely impacted family structures. There have been insufficient structures to assist women who have experienced trauma and children with their secondary traumatisation. Psychosocial problems, together with hard socio-economic conditions, were named as main motives compelling IDPs to increasingly migrate towards Tbilisi and from Georgia.”

Dershem/Gurgenidze/Holtzman, November 2002, pp. 35-36:

“Due to being displaced from their homes and livelihoods, and confronting high rates of unemployment, crowded living conditions, and decreasing hopes of returning back to their homes, most NGOs report that IDPs are showing signs of stress and depression.

In 2000, [Save the Children] used a standardized depression-scale instrument in a survey of IDPs living in collective centers in western Georgia. The same depression scale instrument was used in another survey of the general population in west Georgia in 2000.

The depression scale is from the Center for the Epidemiological Study of Depression (CES-D), and is thus called the CES-D scale. This scale is designed to detect psychological 'moods' associated with clinical depression in a general population. Respondents are asked how often they experience each of the eleven different symptoms during the previous week. A CES-D score of 16 or more is considered the threshold for symptoms of depression.

Using criteria of a score 16 or more on the CES-D Scale as showing symptoms of depression, 89.9% of the IDPs living in collective centers were over the threshold for depression compared to 65.4% of the general population. This finding corresponds with the health findings [...] that show higher rates of hypertension, neurosis and stomach ulcers in IDPs living in collective centers than the general population.

Most studies of depression find certain social groups with consistently higher levels of depression than others, such as women, divorced individuals, and widows. This finding was the case for both IDPs living in collective centers and the general population.

Also, most studies of depression find that younger adults and the elderly show higher symptoms of depression than middle-age people. This finding held true in the general population, however, it did not hold true for IDPs living in collective centers. Rather, among IDPs living in collective centers, depression increased with age."

Buck, September 2000, pp. 6-7:

"Various forms of psychosocial stress have long plagued Georgian internally displaced women and their families on a nearly epidemic scale. A 1995 Oxfam study rigorously examined 653 displaced women and children residing in collective centers in Tbilisi and other regions of Georgia. Its team of psychiatric specialists concluded that over 86 percent of adults suffered from posttraumatic stress disorder and its various resulting symptoms, including heart and cardiovascular diseases (21 percent), chronic migraines and long-lasting sleep disorders (51 percent), and severe depression (22 percent). Twenty-one percent of displaced women surveyed by USAID had been clinically diagnosed with a form of neurosis (Kharashvili 1995, 24–29; Zurikashvili 2000, 7).

Causes for psychosocial stress were both conflict- and postconflict-related. Substantial numbers of women surveyed by Oxfam were traumatized by the loss of their homes and property (91 percent), by bombings (82 per-cent), and by the loss of close family members during the conflict (34 percent), among many other factors. The continuing period of displacement, arduous living conditions, and deepening economic troubles has added to the stress disorders of people living in collective centers. In a 1997 examination of 219 internally displaced families, a Georgian nongovernmental organization (NGO), Foundation for the Development of Human Resources, concluded that conflict-related psychological and psychosomatic complaints among the internally displaced had decreased over the previous two years. Stress-related health problems and depression were now more attributable to factors related to the postdisplacement environment and the strains of everyday life. Many families increasingly believed themselves to be victimized, feeling ostracized and segregated by local populations unhappy with their continued presence and with the Georgian government's perceived lack of interest in their plight (FDHR 1997, 20-21; Kharashvili 1995, 24–29; Zurikashvili 2000, 7).

In addition to the heavy toll on the psychological and physical health of women, the trauma of displacement has also affected the psychological well-being of men in profound ways. Put simply, women have been much more successful at adapting to the difficult conditions and strains of

every day life in the IDP community. As humanitarian aid has dwindled, many displaced women have worked tirelessly and relentlessly to provide desperately needed income and provisions for their families through petty street trade and other menial labor. Many men, meanwhile, have largely been unwilling to trade and to find other menial methods of generating income, instead spending much time idle and loitering in housing centers. In a 1996 study of the internally displaced, the Foundation for the Development of Human Resources noted that men were much more fixed on re-turning to their past lives and were 'paralyzed' by the problems of the present day. Their lives were often characterized by escapism, by 'empty and routine time-passing,' and by a growing pattern of alcoholism. Any hope they had was held out for the 'magic rod' of outside help (FDHR 1996, 7).

Most displaced women interviewed by the CDIE team indicated that their husbands and other men were 'double traumatized' by the conflict and its aftermath. On the one hand, many displaced men felt personally responsible for losing the war and abandoning their homes and former lives, their families forced into exile and destitution simply through their inability to win the war. On the other hand, men have felt unable to fulfill their traditional role as leaders of their families. Worse, many were deeply ashamed that women had become more creative at finding alternative sources of income, however paltry, through trading and other ventures. Displaced men tended to shun income-generating donor programming such as microcredit out of this growing sense of shame. NGO and donor officials have indicated that up to three quarters of internally displaced persons participating in income-generating programming have been women. Not surprisingly, these same officials increasingly agreed that programs should concentrate on the problem of displaced men."

Access to health care services is good despite low state funding (2000-2003)

- IDPs are often unaware of the few benefits they are entitled to with regard to access to healthcare
- As of January 2003, public health care policies have been issued to 190,000 IDPs (67 percent of the total IDP population)
- There have been many cases of IDPs contracting TB because of inadequate diet, housing, etc.
- IDP collective centres are often remote from inhabited areas, which makes visits to doctor difficult
- Total health expenditure fell from 4 percent of the GDP in 1991 to less than 1 percent in 1998
- There are 33 medical institutions for IDPs located on the entire Georgian territory, but other medical institutions are also available to IDPs

OCHA, June 2003, pp. 21-22:

"Quality health service is largely inaccessible to IDPs because of the high costs involved. Moreover, IDPs are often unaware of the benefits they, as holders of IDP status or as part of the socially vulnerable community, are entitled to.

The State budget of 2003 has room for GEL 300,000 to provide vulnerable IDPs with a one-time allowance, for medicines or enable them to travel for the purpose of obtaining medical treatment if needed.

Since 1999, IDPs residing in Samegrelo and Upper Svaneti have been entitled to additional free medical service (costing GEL 300,000 and financed from the state budget). Furthermore, all IDP children under 14 are subject to the Children Medical Care Programme, which provides them with standard medical care. IDP women are entitled to the benefits as envisaged within the State Obstetrics Programme.

The Programme for Active Detection of Pathological Developments and Preventive Health Care is particularly important, as it allows IDPs to have a one-time medical examination.

The 2002 joint decree of the Ministry of Labour, Health Care and Social Welfare and the Ministry of Refugees and Accommodation entitles certain groups of IDPs (all pensioners; single mothers and children dependent on them; children of 3-18; orphan students, deprived of both parents, under the age of 23, as well as all the IDPs resident in Samegrelo and Upper Svaneti) to the benefits of a state health care policy, which makes overnight medical care, basic medicines and part of in-patient treatment, if hospitalised, available to them free of charge. This practice is in force at the state medical institutions that have been contracted within the programme. As of January 1, 2003, the public health care policies have been issued to 190,000 IDPs (which is 67% of the total number of IDPs) residing across the country.

Many IDPs, as well as health-care workers have either no idea of the policies or have incomplete or inaccurate information. According to IDPs in Rustavi, it was only the cost of overnight care, which they did not have to pay when hospitalised.

Moreover, IDPs (e.g. in Tskaltubo) are not aware of the medical institutions where they can possibly get preferential medical treatment envisaged by the state health care policies.

IDPs have also had a problem with ambulances, which cost GEL 10-20, a fairly high price not only for IDPs but for locals as well. Due to the fact that telephone lines are inoperative at IDP collective centres, IDPs are often unable to call for an ambulance when they need to.

While the vaccination of children is free of charge all across Georgia, there are a number of cases when IDPs have been requested to pay GEL 1 - more than the cost of the syringe necessary for the vaccination of their children.

There have been many cases of IDPs contracting TB, because of inadequate diet, housing, etc. Often IDP collective centres are rather remote from inhabited areas, which make it impossible for them to visit a doctor due to the lack of money necessary for travel. Many IDPs are ill with either mental or neurological disorders (and consequently need daily medical treatment and specific medicines which are exceptionally expensive). Although they are supposed to be provided with necessary medicines free of charge, in reality they are not. Some of the collective centres are provided with medicines not in popular demand, while specific necessities of the IDPs often go unheeded.

There are special IDP polyclinics in some of the regions – in Tbilisi, Samegrelo, Imereti, Adjara - which operate under the Ministry of Health Care of Abkhazia. The polyclinics provide IDPs with free of charge medical service and medicines distributed by humanitarian aid organisations and the Ministry of Labour, Health Care and Social Welfare of Georgia.

The Social Insurance Fund of Georgia and Tbilisi Municipality provide for non-standard medical treatment necessary for IDPs, and make occasional arrangements for replenishing supplies of medicines at IDP medical institutions. The IDPs we have interviewed so far, however, underlined the necessity for the needs-based provision of medicines, since medicines provided to their polyclinics currently are not in popular demand."

Dershem/Gurgenidze/Holtzman, November 2002, p. 32:

"During the Soviet Period, health care was provided free of charge to all citizens. Every medical institution was financed from the state budget. After the dissolution of the Soviet Union, and the transition to a market economy, private medical institutions started to emerge. IFRC reports that, 'total health expenditure fell from 4% of GDP in 1991 to less than 1% in 1998.' Some public

medical institutions were also privatized, some still partly providing free medical care. Article 3.3 of the Georgian Constitution provides that, 'in the circumstances determined by law free medical care is provided.'

Apart from hospitals and other medical centers both local population and IDPs can be treated in, there are 33 medical institutions for IDPs located on the entire Georgian territory, including 10 medical points (poliklinika) and 11 ambulances where approximately 1000 IDP doctors and medical personal are employed.[62] In a SC study in west Georgia in 2000, virtually all IDPs living in collective centers reported that hospitals, obstetric clinics and polyclinics were available.[63] In addition, almost all (85.7%) mentioned that emergency services are also available.[...]

[Footnote 62: Legitimate Structures of the Abkhaz Autonomous Republic in Exile, Published in Tbilisi, 2000.]

[Footnote 63: Health Status and Health Care Services in Guria, Imereti and Samegrelo, by David Gzirishvili M.D., for Save the Children, August 2000.]”

See also "[Monitoring of Legal and Actual Status of Internally Displaced Persons in Georgia](#)", a survey by the Georgian Young Lawyers' Association (GYLA), 1999, section on healthcare [Internal link]

Deteriorating health situation in South Ossetia: (2002)

- Sanitary condition is very bad and there is an enormous need for medical supplies
- Sexually transmitted diseases and tuberculosis have been of concern to authorities and humanitarian agencies

OCHA, 30 December 2002:

"In September 2002, the Adventist Development Relief Agency (ADRA) continued the primary health care initiative programme for two more years. It first began in November 2000. The programme addresses some of the needs of the deteriorating health care system. Initial findings from ADRA's baseline survey indicate that the incidence of chronic thyroid diseases such as goiter is endemic, the sanitary situation is very bad, and there is a high level of ignorance amongst the local population concerning Sexually Transmitted Diseases (STDs), particularly HIV/AIDS. In addition, the local authorities have expressed their concerns about the incidence of tuberculosis in the region. There is an enormous need for medical supplies (such as drugs and equipment to diagnose and treat TB and goiter), as well as rehabilitation of hospitals, which are now decrepit owing to lack of maintenance and war damage. ADRA plans to conduct further assessments in order to better assess and address the primary health care challenges in South Ossetia. DFID supported the translation into Ossetian and free distribution of the 'Mother's Calendar' which contains user-friendly guidelines for mother's to be and infant care."

Field survey by Save the Children in western Georgia highlights health needs of the displaced (2000)

- SCF survey reveals that limited access to healthcare services during and after the war and poor living conditions have resulted in a slightly higher rate of physical limitations among displaced children

OCHA, 10 June 2000:

"On 2 June, Save the Children (SC) at the offices of the Institute of Polling and Marketing (IPM) presented an overview of selected differences between IDPs and general households in three regions of western Georgia (Guria, Imereti and Samegrelo). The presentation was based on a survey conducted in February 2000 by SC as part of the Georgia Assistance Initiative (GAI) -- a programme funded by the US Agency for International Development (USAID). [...]

Health sector results show that IDPs are slightly more than twice as likely to have a physical disability as households in the general population. There appears to be a slight decrease in the frequency of respiratory and cardiovascular illnesses from 1996 to 2000."

More detailed information from the GAI review can be found on the "Assistance Georgia" website [Internet: <http://www.assistancegeorgia.org.ge>]

Shelter and non-food items

Danish Refugee Council's Housing Assessment in Gali District of Abkhazia end 2005 (2006)

- Prior to this assessment, there was almost no information on the number of damaged houses in Gali district
- Assessment revealed that roughly 25% of all pre-war number of houses in Gali district have been damaged
- In addition, it was found that around 45% of the damaged houses were inhabited and in need of profound structural rehabilitation
- Many among the potential target group have already carried out some repairs of their temporary shelter, and have the capacity and determination to undertake rehabilitation works themselves
- However, emergency shelter repair will not be enough to contribute to the sustainability of the returns or to ensure dignified livelihood in the area

UN Country Team in Georgia, 28 February 2006:

"A Housing Assessment project in Gali district was implemented by Danish Refugee Council (DRC) in autumn 2005 with financial assistance from the European Commission Humanitarian Aid department (ECHO). Prior to this assessment, there was almost no information on the number of damaged houses in Gai district. The objectives of the project included gathering information about the individual housing rehabilitation needs in Gali district, suggesting optimal models for shelter assistance activities and evaluating the overall costs of a likely rehabilitation intervention.

The Housing Assessment is set against the background of the armed conflict in Abkhazia. It is estimated that 79,000 persons have been displaced from the district as a result of the conflict and that during the last years around 45,000 persons have returned spontaneously to Gali district (including persons living there on a seasonal basis), many returning to destroyed pre-war homes without means to ensure adequate living conditions.

The Assessment was carried out in three steps: a technical damage assessment covering all settlements in Gali district, a complementary sample survey (conducted in 10 villages covering 150 households); and a beneficiary capacity assessment focusing on target population.

The Housing Assessment revealed that roughly 25% of all pre-war number of houses in Gali district have been damaged. In addition, it was found that around 45% of the damaged houses were inhabited and in need of profound structural rehabilitation of new builds.

Finally, the Housing Assessment has identified that the majority of category 0 (intact, or only doors and windows are missing), 1 (damages to windows and doors, roofing sheets and minor damages to outer and inner walls) and 2 (damages to windows, doors, roof structure and sheet and outer and inner walls) houses are connected to the electricity network, whereas there is a steady decline of this number for category 3 (no windows, doors and roof, damage to outer and inner walls), 4 (no windows, doors and roof, heavy damage to outer and inner walls), and 5 (house completely destroyed, part or no foundation left) houses. Furthermore, it was positively established that access to water is not considered an issue, as most households have their own wells or are connected to the main supply system.

Drawing on the information and data obtained from the beneficiary capacity assessment the report concluded that the returnee community in Gali district is capable and highly motivated to partake in rehabilitation of their damaged houses. Furthermore, the Housing Assessment establishes that many among the potential target group have already carried out some repairs of their temporary shelter, and they possess the capacity and determination to undertake rehabilitation works themselves.

DRC would like to underline that interventions with a long term perspective are needed in Gali. Emergency shelter repair will not be enough to contribute to the sustainability of the returns or to ensure dignified livelihood in the area.”

To view the assessment: Danish Refugee Council/ECHO, February 2006, Housing Assessment Gali District [link below]

Privatisation of hotels housing IDPs from Abkhazia (February 2005)

- Georgian authorities have offered 7,000 dollars to each group of displaced people sharing a hotel room a in Tbilisi and scheduled to move
- Since a single room is sometimes shared by several families, some families end up receiving considerably less
- Authorities have promised to find them a new home, in line with a 1993 law making it an obligation to provide IDPs from Abkhazia with free housing, but the government has gone back on its pledge to provide housing for all

AFP, 4 February 2005:

“Nona Todua first lost her home 11 years ago, when she fled her native Abkhazia after the Black Sea region broke away from Georgia. Now, this Georgian refugee in Tbilisi is about to be made homeless again -- by Georgia.

The place she has been calling home for the past 11 years, a 12-square-meter (130-square-foot) hotel room with no kitchen which she shares with six other people, is anything but comfortable. But she has nowhere else to go to.

A year ago, Todua cheered the election of Georgia's young west-leaning President Mikhail Saakashvili, who had promised to reunite Abkhazia with the rest of Georgia.

But then, Saakashvili unveiled a large-scale privatization plan that includes the Tbilisi hotels housing refugees from Abkhazia, and Todua felt as though she had been stabbed in the back.

Georgian authorities have offered 7,000 dollars (5,350 euros) to each group of people sharing a hotel room and scheduled to move. But since a single room is sometimes shared by several families, some families end up receiving considerably less.

In that case, the authorities have promised to find them a new home, in line with a 1993 law making it an obligation to provide refugees from Abkhazia with free housing.

On the face of it, this looks like a good deal for all sides. The state takes hold of land which, once privatized, will bring it much needed money, and the refugees finally have a chance to acquire real, if modest, apartments.

But reality has proved to be quite different. A huge price hike in Tbilisi real estate has meant that refugee families lost considerable purchasing power. And the government has gone back on its pledge to provide housing for all.

And while 37-year-old Todua, her four-year-old daughter and her parents, are still waiting for an apartment, together with some fifteen other families living at Tbilisi's Adjara hotel, the authorities refuse to give them one.

Two weeks ago, the authorities cut off the gas and electricity to force the Adjara hotel families to leave. The hotel is now freezing cold, and has become infested with rats.

"This is a disgrace, we have been betrayed by our own government," said an incensed Todua.

But an official with the government commission in charge of refugees saw things quite differently.

"We did not promise them anything," Omar Abuladze told AFP.

"They saw they could make money with this, and now, they are doing all they can to get a little more," Abduladze added, echoing a feeling shared by many Georgians who became impoverished following the collapse of the Soviet Union.

[...]

Like Todua, other residents of the Adjara hotel feel totally let down. "We are being avoided like the plague. Is this really Saakashvili's Georgia?" said Lazi Maysaya, a former engineer, as he stood in an icy corridor.

The families expect the police to come and evict them anytime, although no law on evictions exists in Georgia.

If this happens, they know they will face a bleak prospect. Dali Djikia, a 56-year-old refugee who was evicted from Tbilisi's first privatized hotel six months ago, has still not found a new home. "I pity them," she said.

IDPs have same access to public utilities as the rest of the population (2002-2003)

- IDPs in collective centres are entitled financial support for utilities
- Due to the short supply of electricity, IDPs have to pay themselves for firewood, candles, and kerosene
- Most of collective centres are not properly connected to the water supply system
- However, IDPs living in collective centers receive almost equal amounts and quality of electricity and water as the general population

- Connection to the telephone network is also missing in collective centres

OCHA, June 2003, p. 19:

"In pursuance with *the Law on State Budget* (Chapter 2, Article 13) an IDP residing in a collective centre is entitled to utilities worth GEL 17,2 in Tbilisi and GEL 11,5 in the regions, of which GEL 1,5 is to cover communal utilities, with GEL 2 for paying staff at the centre and the remainder (GEL 13,7 in Tbilisi and GEL 8,0 in the regions) allotted for electricity.

Not unsurprisingly, IDPs in collective centres, for instance in Borjomi, have said that these sums are not enough, which is why they themselves have to make up for the difference in the cost thereof.

The situation is different in other regions (Samegrelo, Imereti, Bolnisi, Rustavi) where electricity is only supplied to IDPs either for a few hours a day or is not supplied at all. This is why IDPs have to pay for firewood, candles, and kerosene. IDPs in Bolnisi have said that the amount allotted by the government for electricity per person is more than they consume: when electricity supply is limited with four or even more people living in a room, families are unable to consume the electricity worth the amount allotted for the purpose. The same is true of Tskaltubo collective centres, which are only supplied with electricity two hours a day. The Ministry of Refugees and Accommodation, however, pays Electricity Consumer Market GEL 8 per IDP. Veterans are entitled to 250kw/h to be paid for by the government and 50kw/h to be paid for by USAID. Pursuant to *the Law on Social Guarantees to Fighters for Territorial Integrity, Freedom and Independence, the Missing and those that Died of Battle Wounds*, the following family members are entitled to claim partial exemption from electricity payments: parents of any age group; a spouse that has not remarried; under-age children that are either at school or students; other disabled members of the family that were dependent on the deceased and receive a pension following his/her death.

IDPs in this category who reside in private accommodation must submit a certificate issued by the local Commissariat to their respective power supply company to be entitled to the exemption.

The situation with water supply is nothing less than dire. Water supply systems in most of collective centres are either completely out of order or the centres have been disconnected from the water-mains because of delays in payment for the service. IDPs are obliged to carry water from remote areas, and face a severe lack of clean drinking water, which in turn forces them to distil the water before it can be drunk.

Most of the collective centres visited by us are not furnished with telephone lines, which, if available, are often inoperative following delays in payment for the service, which makes calling an ambulance or fire-brigade for the occupants impossible."

Dershem/Gurgenidze/Holtzman November, 2002, pp. 6-7:

"Although the provision of social services, such as electricity and water is poor throughout Georgia, most surveys and assessments report that **IDPs living in collective centers receive almost equal amounts and quality of electricity and water as the general population**. For example, in SC's survey of collective centers in west Georgia in 2002, IDPs reported, on average, 7 hours a day of electricity during the winter months. In a nationwide survey by SC in 2002, the general population reported, on average, 9 hours of electricity a day in the winter months. As for potable water, in SC's study, when asked if accessing water was easy or difficult, 60.4% of IDPs in collective center reported that accessing water was easy compared to 76.6% of the general population. As for the amount of time water is available, IDPs reported, on average, 10 hours per day compared to 16 for the general population. When asked to evaluate the quality of the water, 79.1% of IDPs living in collective centers stated average to very good, compared to 82.1% of the general population with a similar evaluation."

IDPs in collective centres: substandard living conditions (2001-2004)

- Available data suggest that between 43 and 53 percent of IDPs live in collective centres
- Collective centres often do not meet minimum living standards for a lengthy period of time
- IDPs in collective centres report living space as their greatest difficulty
- Only 40% of IDPs in collective centres have access to an unshared toilet
- 70% of IDPs claim their collective center need major repairs

Sumbadze & Tarkhan-Mouravi, July 2003, p.29:

“While official statistics from the Ministry of Refugees and Accommodation determine only two categories of shelter (private accommodation and collective centres) used by IDPs in Georgia, various experts have indicated that it is more adequate to distinguish at least several types of accommodation defined in functional terms, such as: collective centres (legally allocated in state-owned buildings of former hotels, hostels, schools, hospitals, etc); private housing owned by relatives/friends, living there for free together with a host family or independently; rented premises; purchased apartments or houses; and, illegal but as a rule tolerated forcible occupation (squatting) of abandoned apartments or houses, whether private or public. However, little data is available to reflect these differences.”

Zoidze & Djibuti, 2004, p.27:“Poor sanitary conditions and inadequate hygienic standards of collective centers have been a major problem since the original displacement of IDPs, as most collective center buildings were not constructed with long-term accommodation in mind. Over the years, building conditions worsened due to a lack of maintenance and repairs. The IDPs experience severe problems with living space in these unsuitable quarters. Out of a total 1683 collective centers throughout the country, 70 percent need urgent repair, while almost all of them are unsafe from a public health perspective. IDPs live in crowded conditions wherein sewerage and water supply systems are dysfunctional. On average, IDPs have 7 to 9 sq. meters per person in collective centers compared to 18-30 sq. meters per person of the local population. Thirty-seven to forty percent of IDPs have unshared access to a toilet compared to 70-90 percent of the local population (SCF-2002 and IFRC-1999).”

Dershem/Gurgenidze/Holtzman November 2002, pp. 22-23:

"Collective centers - There are several types of accommodations for IDPs in Georgia. While official statistics from the Ministry of Refugees and Accommodation determine only two categories of shelter (private accommodation and collective centers), relevant reports on the issue provide more detailed classification. According to the available data, IDPs have been accommodated in one of the following types of premises: collective centers (former hotels, hostels, schools, hospitals, etc) owned by state; private housing owned by relatives/friends; rented apartments or houses; purchased apartments or houses; or occupation of abandoned apartment or houses.

According to the MoRA, as of September 2001, there are 125 216 (43%) of IDPs residing in collective centers. The percentage of IDPs residing in collective centers varies and, sometimes, contradictory findings are presented – there are more IDPs in collective centers than private accommodation. NRC reported that in 1995 53% lived in collective centers, while 37% lived with host families, and the remainder indicating other accommodation. IFRC suggests that after displacement government accommodated over 50% of all IDPs in collective centers (which is slightly lower than the MoRA figure of 57%). Thus, there is no reasonably accurate percentage, or trends, of IDPs living in collective centers as opposed to private housing.

While there is information available on communal centers and private accommodation, reports usually do not make difference between the latter one. Private accommodation usually implies both host family and independent residency. More limited data is available on rented accommodation or occupation of abandoned buildings.

Since collective centers were constructed for different purposes, often they do not meet minimum living standards for a lengthy period of time. When asked by IFRC that was the worst problem in respect of housing, IDPs in collective centers identified living space as their greatest difficulty. IFRC reports an average of 8m² per person compared with 18m² for the local population. SC found 9m² per person in collective centers in west Georgia in 2002, compared with an average of 30m² for the general population nationally, 32m² for the general population in Imereti and Samegrelo, and 16m² for the general population in Tbilisi.

As for hygiene, IFRC reported that only 40% of IDPs had access to an unshared toilet compared to almost 70% of the general population; similar figures by SC, in 2002, were 37.6% for IDPs in collective centers compared almost 95% for the general population nationally.

The conditions of collective centers are not good, with those in rural areas considerably worse reports IFRC. In their study, they found few of the centers fully intact, and most had broken windows, leaking roofs and walls in disrepair. In SC survey of collective centers in west Georgia in 2002, on 5% of IDPs said that their collective center was in good condition, with 70.5% mentioning that their collective center need major repairs and fewer (24.1%) mentioning their collective center only needed minor repairs. When asked what major repairs were needed, most IDPs identified windows, the roof, and then the basic structure (plumbing, electricity and walls)."

See also

UN OCHA, *Study on IDP Rights*, June 2003, section 3.6 on shelter (pp. 24-25) [Internet]

More detailed information from the Save the Children's review can be found on the "Assistance Georgia" website [Internet: <http://www.assistancegeorgia.org.ge>].

See also "*Consolidated report on IDP settlement issue*", a report by the UN Association of Georgia (2000) [Internet]

Insufficient information on legal regime deters IDPs from purchasing property (2000-2002)

- Due to the fear of loosing their IDP status many either refrain from purchasing property or do is secretly
- IFRC reports that 30% of IDPs living in private accommodations own their own apartment or house
- Local NGOs believe that many of the IDPs that originally purchased housing have sold it, and moved to collective centers
- IFRC reports that IDPs living in private accommodation have approximately 16m² per person, which is twice as much as IDPs living in collective centers

Dershem/Gurgenidze/Holtzman, November 2002, pp. 24-25:

"Private accommodations [...]"

In the Soviet period, under a system of 'propiska' housing rights were regulated under the 1983 Housing Code, which did not provide right to ownership but rather tenancy. It did allow occupancy on an indefinite basis and allowed for inheritance by members of the household.

If a person was absent from the apartment for the period exceeding six months without a valid reason determined by the law, she or he could lose right to the property with a court order. At this point, the apartment could then be assigned to other person or family. There were eight valid reasons envisaged in the law, such as health condition, military service, employment outside the city/village, but displacement was not considered a valid reason for absence. Although Housing Code was abolished in 1995 and partly replaced by the new Civil Code of Georgia, the current law is not in force on territories of Abkhazeti and South Ossetia where the old Code is applied.

The new housing registration system in Georgia was primarily enacted for voting purposes. Thus, a person can simultaneously own several apartments or houses but is registered at only one location. An IDP may purchase an apartment or houses yet keep his or her registration at the temporary housing provided by the government (e.g., collective center) or offered by friends/relatives (host family or private accommodation). However, it has been reported by different NGO representatives that if IDPs were to purchase housing and property they would be required to register as permanent residents at that location, resulting in them losing their IDPs status and benefits.

IFRC reports that 30% of IDPs living in private accommodations own their own apartment or house, with 47.2% living in accommodations provided rent free from a private individual (31.3%) or the state (15.9%).^[41] But from these findings it is still unclear if the remaining 22.8% are renting their living space. **Thus, little, if any information is available on ownership of houses/apartments by IDPs and the legal ramifications to their repatriation status or benefits.** Local NGOs believe that many of the IDPs that originally purchased housing have sold it, and moved to collective centers, because they have exhausted their savings and their inability to earn a regular income. In general, all data indicate that compared to almost 95% of the general population owning their apartment or house, significantly fewer IDPs own their accommodations.^[42]

IFRC reports that IDPs living in private accommodation have approximately 16m² per person, which is twice as much as IDPs living in collective centers. Only a slightly higher percentage (45%) of IDPs living in private accommodations have access to an unshared toilet than IDPs living in collective centers (40%).

[Footnote 40: Rapid Assessment Shelter and Social Infrastructure in Guria, Imereti, and Samegrelo Regions of West Georgia, Ben Roohi for Save the Children, July 2000.]

[Footnote 41: In 1996, UNHCR reported that approximately 15% of IDPs from Abkhazeti had purchase houses (Assessment of the Shelter Sector for Refugees and IDPs in the Caucasus). In a study by SC that included a smaller number of IDPs living in private accommodations in 2002, of 111 IDP households living in private accommodations 55% reported owning their current apartment/house.]

[Footnote 42: According to the law, if an IDP purchases property and registers there s/he loses their IDP status, subsequently their cash benefits. NGOs report that although ownership of apartment/house does not imply registration at the given address, many IDPs were provided incorrect information. Due to the fear of losing their IDP status many either refrain from purchasing property or do so secretly (GYLA).]

See also "[IDPs purchasing property do not lose their IDP status \(2003\)](#)" [Internal link]

IDPs leave host families and move to collective centres (1994-2003)

- Some reports indicate an increasing fatigue from host families
- There is no sufficient housing space to relocate IDPs who have to leave host families
- A small percentage of families in the general population are willing to host IDPs
- Host family fatigue increases with the duration of the IDPs stay, especially with non-relatives

OCHA, November 2003, p. 13:

"Majority of IDPs continue to demand effective services in support of social and economic activities that would enhance their livelihoods while displaced. The most prominent IDP demands are those for better housing, employment opportunities, or improved health and education services. A strong desire of majority of IDPs to move from the private sector to collective centres has long been obvious, as they either can no longer afford to pay rental or can no longer abuse host's hospitality. At the same time, approximately 70% of collective centres do not meet minimum living standards – roofs are leaking, windows are broken, water supply/sewage systems do not function, there is not access to safe potable water in majority of buildings, there are constant problems with electricity. The situation has been further deteriorated after the Tbilisi earthquake in April 2002."

Dershem/Gurgenidze/Holtzman, November 2002, pp. 25-26:

"Host families - IDPs living in private accommodations that do not own their apartment or house may be living with a host family. **(There is little data on the number of IDPs living with host families.)** Most surveys suggest that IDPs moved in with relatives.[43] The length of their stay is totally dependent on the willingness of the host families. Since displacement has, in many cases, gone on for almost 10 years some reports indicate an increasing fatigue by host families. [44] NRC reported that between 1994 and 1996 there was a movement of IDPs from private accommodations to collective centers due to the 'desire to stick together, have better access to humanitarian aid, and not to burden host families.' [45] NGO representatives, some of whom were personally approached by IDPs in search of alternative shelter, further support these results.

Several factors could be triggering departures from host families, such as the length of time, humanitarian assistance for host families being reduced, and the general economic status of the host family worsening. However, with the limited living space available in collective centers, accommodating new residents is difficult. **There is limited to no information on prevalence of this type of relocation and the outcomes.**

If there is a type of host family 'burn-out' factor then programs that would place IDPs with families on a temporary basis would appear to be ineffective. However, some data does suggest that it is not all host families that are facing burn-out. SC has reported some data that suggest two important findings: 1) that a small percentage of families in the general population are willing to host IDPs and 2) that a small percentage of former host families are willing to host IDPs again.

Specifically, a random household survey of 1450 households in the general population in west Georgia (Guria, Imereti and Samegrelo), 32.1% of rural households and 24.4% of urban households said they would be willing to host IDPs. When asked for how long, these rural households said, on average, 7 months and urban households said, on average, 5 months.

In this same household survey, 197 households had hosted IDPs previously (slightly more in rural areas). On average, these households have hosted IDPs for a little over 1 year. And, when asked if they would be willing to host an IDP family again, 62.5% answered yes. Finally, when asked how long they would be willing to host, former host families in rural areas answered, on average, 10 months and former host families in urban areas answered, on average, 8 months.

Thus, at least one-third of the general population in west Georgia is, at least theoretically, willing to host IDPs, which may quickly change if they were actually asked to do so. And, although it is a small number of the total number of host families, at least two-thirds of the 200 former host families would host IDPs again.

To reconcile the two versions of host-family burn-out and willingness to host, the answer may be in the amount of time a family must host IDPs. Even though there is little to no data, we would venture that host family burn-out occurs primarily among host families that accommodate IDPs for more than 2 years, and maybe even greater among host families accommodating non-relatives for more than 2 years. It may very well be these IDPs that have been highlighting host-family fatigue."

[Footnote 43: SC reports, that of the almost 200 former host families that were interviewed in 2000, 85.4% hosted relatives who were IDPs.

[Footnote 44: Specific groups and individuals mass exoduses and displaced persons, Report of the Representative of the Secretary-General on internally displaced persons, Mr. Francis Deng, submitted pursuant to Commission on Human Rights resolution 2000/53, Profiles in displacement: Georgia, & Assessment of the Shelter Sector for Refugees and Internally Displaced Persons in the Caucasus, UNDHA, Complex Emergency Unit, Geneva, Switzerland, 1996 & GYLA).

[Footnote 45: While IDPs living in communal centers are protected from evictions under the Georgian legislation, there is no legal framework addressing the protection of those living with the host families.]

Precarious housing conditions of the displaced (2000)

- Collective centres consist mainly of former hotels, sanatoriums and hospitals
- Only a small portion of the displaced persons have the financial means to establish themselves independently
- There have been reports of eviction of internally displaced persons from host families
- Displaced are fearful that moving to alternative, more comfortable accommodation would undermine their ultimate aim of return
- This apprehension could in part be attributed to outside influence

UNHCHR, 25 January 2001, paras. 25-33:

"As is often the case, in the initial period of displacement, large numbers of displaced people found emergency shelter in public buildings such as schools. Seven to nine years on, however, approximately 40 per cent of the displaced, numbering some 112,000 persons, remain in collective centres (defined as residences accommodating 10 or more internally displaced persons). Following efforts undertaken several years ago to move the displaced out of schools, with a view both to providing more suitable accommodation and to ending the disruption this created for the educational system, the collective centres in which the internally displaced currently reside consist mostly of former hotels, sanatoriums and hospitals. The Representative was informed of one case of 100 families living in a former factory. The mission visited collective centres in Tshkinvali (South Ossetia) and in Tskhaltubo and Ingiri, where internally displaced persons have been living for some seven to nine years.

Sixty per cent of internally displaced persons live in private accommodation. Though some internally displaced persons have the financial means to establish themselves independently, most of those in private accommodation are staying with host families, who frequently are relatives or former acquaintances. The continued hospitality of host families is noteworthy, especially given the difficult economic conditions facing the population of Georgia as a whole.

This generosity, however, is beginning to show signs of strain: reportedly, the eviction of internally displaced persons from host families is occurring. This suggests the need to ensure that host families receive support in shouldering the added burden of having taken internally displaced persons into their homes, several years ago now.

Although the mission did not visit internally displaced persons residing in private accommodation, where of course the conditions would vary depending on the situation of the host family, the prevailing view is that they are in a better situation than those in collective centres, where conditions are considered to be much worse. A survey comparing the shelter conditions of internally displaced persons in private accommodation versus those in collective centres was being undertaken in 2000.

A number of problems were common to the various collective centres visited by the mission. These problems largely stem from the fact that the buildings serving as collective centres were never designed for communal living. Even in hotels or sanatoriums, the rooms where entire families now live were intended for the temporary stay of one or two people. Conditions are cramped and overcrowded: on average, the general population has almost five times more living space than internally displaced persons living in collective centres. In hospitals, internally displaced families are crowded into empty rooms, surrounded by sick people in adjacent rooms.

In terms of structural conditions, a 1999 survey of 757 collective centres throughout Georgia, except Abkhazia and South Ossetia, classified approximately half of the buildings as being in very poor or poor condition and a third as being in need of minor repair. Roofing, sewerage and glazing were determined as being in urgent need of repair in order to winterize the shelters and contain disease. Electrical systems also were highlighted as a priority for repair. Water systems, not designed with a capacity for the number of people now using them, have been strained and also require repair. Former hotels housing the displaced have largely been gutted of their facilities and furniture.

Conditions in rural areas were reported to be even worse than in the towns and cities. The Representative was told of one case of 100 families living in a former gravel factory in very dusty conditions and with no windows. Furthermore, it was noted that this example was illustrative of conditions in outlying regions, to which, apparently, little attention and assistance had been devoted.

**See also "Tbilisi struggles to house displaced Georgians", Institute for War and Peace Reporting, 24 July 2001 [[Internet](#)]*

Collective shelters in western Georgia need major repairs (2000)

- More than 85 percent of such people live in "collective" or public housing provided by the Georgian government
- Survey conducted by Save the Children in 2000 shows that the general population has on average almost 5 times more living space than the displaced living in collective centres

"While the Georgian conflicts themselves were relatively short in duration, the misery of internally displaced women and their families has only grown in the decade since the fighting largely ceased. Much of the distress can be attributed to the deteriorating living conditions endured by the vast majority of displaced persons. Today, more than 85 percent of such people live in 'collective' or public housing provided by the Georgian government, according to UNDP[*]. These collective centers consist of Soviet-era hotels, hospitals, schools, factories, and other buildings roughly converted into 'temporary' living centers.

Though conditions vary, most of the 3,600 collective centers throughout the country can barely be considered adequate housing. A 1995 Norwegian Refugee Council fact-finding mission pointed to the overcrowded nature of the centers, averaging 3.2 people per room; similarly, collective centers visited by the CDIE team averaged four persons to a room. Cooking spaces and toilets are usually shared, and sanitary conditions are often dismal. In one center visited by the CDIE team—a converted steel and cement storage facility near the city of Zugdidi—the plumbing system had broken down completely, causing the basement to be filled with open sewage. As a result, 82 families were crammed into windowless rooms on the two top floors desperate to avoid the stench. Unsurprisingly, environmentally based disease rates among the internally displaced have increased dramatically through the years, particularly cases of tuberculosis and hepatitis (Boutroue and Jones 1997, 15; NRC 1995; UNDP 1998, 18).

Gender roles were clearly delineated in prewar Georgian society; whereas men were traditional heads of the family, making the critical decisions involving family and livelihood matters, women ran the households. Put simply, women were in charge of maintaining family order, health, and welfare, with particular attention to their children. Since moving into collective centers, lack of space, decrepit living arrangements, growing rates of poverty have all made for particularly stressful times for displaced women. A 1997 survey by the Norwegian Refugee Council concluded that 51 percent of the IDP households consistently lacked adequate clothing, and 70 percent were without enough food. (UNDP 1998)"

[Footnote*: Immediately following the conflict, most internally displaced peoples lived in private housing, usually with 'host' families consisting of family members or friends. The Norwegian Refugee Council estimated that 84 percent of such people lived with host families and in private housing between 1991 and 1994. After 1995, however, many IDP families moved into public housing as the generosity of their host families began to wane and the likelihood of repatriation shrank to very low levels. In addition, almost all 'second- wave' Abkhazian internally displaced persons were housed in public shelters in 1998 (MacFarlane, Minear, and Shenfield 1996; Norwegian Refugee Council 1995).] (Buck September 2000, pp. 5-6)

More detailed information from the GAI review can be found on the "Assistance Georgia" website [Internet: <http://www.assistancegeorgia.org.ge>].

See also "Consolidated report on IDP settlement issue", a report by the UN Association of Georgia (2000) [Internet]

Food

Indicators show lower nutritional status of IDPs (1999-2004)

- There has been no generalizable nutritional survey of IDP children
- Available nutritional data suggest that malnutrition is higher among displaced population

Zoidze & Djibuti, 2004:

"Two major nutritional problems may be identified in IDPs as well as in the rest of the Georgian population: (i) calories and protein malnutrition; and (ii) iodine deficiency.

There have been few surveys specifically assessing the nutritional status of IDPs, mainly due to the high cost and logistical problems associated with the necessary anthropometric

measurements. Only two small surveys were carried out by the IFRC in West Georgia (Zugdidi and Jvari), involving up to 400 children in total."

Dershem/Gurgenidze/Holtzman November 2002, p. 35:

"The nutritional status of children under 5 years of age is used as an indicator of nutritional problems in a population since they are undergoing rapid growth and tend to be the first affected by malnutrition.

Two indicators of malnutrition are generally used: acute and chronic. Acute malnutrition is general referred to as wasting, and chronic malnutrition is referred to as stunting.

A large-scale nutritional survey was conducted of children living in the general population in six regions of Georgia in 2000/2001 in response to the drought [Nutritional status of children less than 5 years of age in six drought-affected regions of Georgia: 2002-2001, National Center for Disease Control and Save the Children, 2002]. *However, to date, there has been no systematic, generalizable nutritional survey of IDP children.*

The only nutritional data available on IDP children is a small study conducted in 1999 by IFRC. This study reported a higher rate of acute malnutrition among IDP children (2.6%) than children from the general population (0.7%). The large-scale survey found 1% of children in the general population acutely malnourished. According to the World Health Organization, the international standard for low acute malnutrition is 5% or less.

Also, this study reported a higher rate of chronic malnutrition among IDP children (18.1%) than children from the general population (12.1%). The large-scale survey found 10% of children in the general population chronically malnourished. According to the World Health Organization, the international standard for low acute malnutrition is 20% or less.

As for adults, nutritional status is indicated by a body mass index (BMI). The 1999 IRRC study, using a BMI, found that 3% of adult IDPs and 4% of adults from the general population were underweight. Interestingly, 43% of adult IDPs and 34% of adults in the general population were overweight."

ACCESS TO EDUCATION

General

Disruption of education for returnees in Gali district of Abkhazia (2006-2007)

- Abkhaz de facto officials said that Abkhaz textbooks on history, geography and national culture in Russian would be introduced to the school curriculum in September 2007
- Lack of education opportunities in Georgian is obstacle to return to Gali

NRC, July 2007:

“Abkhazian and Russian are the required languages of instruction in schools in Abkhazia. The Georgian Constitution recognizes Abkhazian as a state language in Abkhazia in addition to Georgian. In the return areas (first and foremost Gali) the de facto authorities accept teaching of Georgian only as a foreign language. Returnee-children, of whom more than 90% are ethnic Georgians, usually have poor skills in Abkhazian and Russian language. Not being able to use Georgian as the language of instruction, many returnee children have learning problems and have difficulties in acquiring the necessary skills and knowledge required for higher education or employment.”

ICG, 18 January 2007:

“Another obstacle to greater return is access to Georgian-language education. According to Georgian authorities this is banned in Abkhazia but ten fully fledged Georgian schools do operate in lower Gali. Other schools in Upper Gali no longer officially teach in Georgian. Georgian-language education is clearly an area with potential for more cooperation.”

CHR, 22 March 2006:

“The Representative [UN Representative on the human rights of IDPs] was informed that Abkhaz de facto authorities, following an order from the Head of the de facto Department of Education in the Gali district in August 2005, have been attempting to restrict or eliminate the use of the Georgian language in public schools, and to enforce this policy with varying degrees of severity. The de facto authorities in Sukhumi told the Representative that this policy was not directed against the Georgian language per se, but aimed at preventing the use of Georgian-language school books which reportedly conveyed a distorted account of Georgian and Abkhaz history. The Representative was informed by other sources that the withdrawal of teaching material and, in some places, of Georgian-speaking teaching personnel, had led to a shortage of material and personnel in general, thus leading to an interruption of the regular functioning of local schools or impacting on the quality of education.”

UNSC, 18 July 2007:

“The issue of the language of instruction remained of concern to the local population and those willing to return. While the language of instruction and of the school curriculum is still Georgian in the lower Gali district schools, Abkhaz de facto officials made statements to the effect that Abkhaz textbooks on history, geography and national culture in Russian would be introduced to the school curriculum in September 2007. The Georgian side protested against those statements.”

As of March 2005, ethnic Georgians returning to Abkhazia could still not study in Georgian.

NRC Georgia, 15 March 2005:

“One of the problems is that most “returnee” teachers as well as their students are not fluent in Russian. They can speak only Georgian or Megrelian. But they are required to conduct lessons in Georgian.”

Displaced children’s education is of lower quality than the one of the rest of the population (2004-2007)

- In effective education system is due to poor management and financing, deteriorated facilities, lack of training opportunities and school material
- Separated structures for IDP education strengthens isolation and exclusion of displaced children
- “IDP schools” – the Abkhazian schools in exile – under the Abkhazian Ministry of Education and Culture in Exile, were opened in 1994-98
- As of mid-2007, 16 “IDP schools” were functional in Georgia, and seven of them were connected to collective centres
- As a result of severe under-funding, the condition of educational facilities for IDP-children is devastating and continues to deteriorate
- The State Strategy for IDPs calls for closing down the segregated schools and for integrating IDP-children and youth into the national educational system

NRC, July 2007:

“Almost all IDP children are enrolled in primary and secondary education. The so-called “IDP schools” – or more specifically the Abkhazian schools in exile – under the Abkhazian Ministry of Education and Culture in Exile, were opened in 1994-98. Many of these schools were located near the CCs where IDPs were living in order to create equal opportunities for IDP students to enjoy full access to education. At the moment 16 “IDP schools” are functional on the territory of Georgia (Tbilisi, Kutaisi, Samegrelo) and seven of these are connected to CCs. The State Strategy for IDPs calls for closing down the segregated schools and for integrating IDP-children and youth into the national educational system. The “IDP schools” are still under the responsibility of Abkhazian Ministry of Education and Culture in Exile, but based on national standards for Secondary education in Georgia, established by the Ministry of Education and Science (MoES).[...]

As a result of severe under-funding, the condition of educational facilities for IDP-children is devastating and continues to deteriorate. The majority of both IDP kindergartens and schools are in urgent need of repair and are accommodated in buildings not primarily constructed for these purposes. Insufficient proper hygienic conditions and of educational material and facilities hinder access to quality education for IDP-children and may influence their future prospects for higher education and employment.”

IDMC, May 2006:

According to NRC, many IDP schools are generally separated from mainstream schools and isolated. There is a high level of absenteeism and of illiteracy. Teachers have little opportunity for training and generally use outdated methods inherited from the Soviet system. IDP schools lack equipment and books, and are hosted in dilapidated buildings.

In the Gali region of Abkhazia, education is in Russian, despite the fact that school children are all ethnic Georgian .

UNICEF/NRC, October 2006:

IDP families place a high value on proper schooling and sacrifice as much as possible to provide their children with an education. As IDP Children are given free primary and secondary schooling, almost all children reported being enrolled in school and having very few problems physically accessing the schools. However, there did seem to be a difference in children's ability to gain physical access to school versus their ability to have economic access to gaining a proper education. Numerous economic barriers to attending school or learning their lessons were reported, including:

- Lack of socially acceptable or weather specific clothing
- Transportation costs
- Costs of books and other materials
- Confined living space which makes for difficult study environment
- Absences due to the need to provide economically for one self or family
- Shame due to not being able to provide requested school fees
- Inability to access classes in computers and English outside of school."

Matiashvili, 2004, pp7-8:

"The main problems of the ineffective education system identified in the study are related to poor management and financing, deteriorated facilities, insufficient teaching and learning materials, lack of training opportunities for teachers, etc. The deficit of sufficient information on the ongoing changes in the education sector among IDP education stakeholders, results in their isolation from the education reform and negatively impacts their social integration. [...]

Segregation of education infrastructure: The most frequently named reasons to validate the existence of separate IDP kindergartens and schools are related to the economic, social and psychological state of IDP children. Some IDP parents believe that IDP teachers understand their children better and are more sensitive to their needs and problems; it also allows for the preservation of their cultural values and traditions. However, the need to retain the employment for IDP teachers from Abkhazia has obviously been the main motivation. Whatever the reasons, the segregated infrastructure strengthens isolation and exclusion of IDP youth. It apparently hinders the integration of IDP youth within local communities and strengthens undesired labeling, marginalizing them in the society. Thus, if not properly addressed, segregated education will, in the long run, jeopardize the future of IDP youth. The segregated structure, strengthening IDPs' isolation and exclusion is inadmissible in any democratic society. If properly handled, it will make IDP youth more socially active and confident. Prosperous and successful youth is crucial for a lasting return when such an opportunity occurs.[...]

Funding

The funds allocated to IDP educational institutions can hardly cover salaries and are insufficient for any other expenses. A decrease of public resources resulted in the substantial growth of private spending on education, which has been a heavy burden for IDP families, especially as they do not receive any regular government subsidies to cover education related expenses (apart from exclusion from school fees).

Lack of Information

IDP teachers, school administrators and parents have limited access to information about ongoing changes in the education sector. As a result, they do not have good knowledge and an understanding of the ongoing processes in the education sector, which limits their involvement in the education reform.

Teachers

The salaries of IDP teachers are lower than the salaries of teachers in general schools, as IDP teachers were unable to participate in the attestation in 1996, which served as the basis for increasing teacher salaries in the country. The majority of IDP teachers have not undergone any training since displacement and have little access to information about ongoing education changes in the country.

Living conditions of IDP families

Education of IDP children is heavily influenced by social and economic conditions related to their IDP status. Children's education is a heavy material burden for most IDP families who seem to be experiencing stronger economic stratification, and often experience extremely poor quality of life. The majority of IDP children living in collective centers are deprived of minimum conditions necessary for study, which has a very unconstructive impact on their achievements.

Psychological state of IDP children

The symptoms of depression observed among IDP children have negative implications on their education. According to IDP teachers, psychological problems are observed even among children who have not been directly affected by the war, but have been influenced by the emotional state of their parents. IDP children, like their parents, often feel isolated and excluded, hate to be labeled "refugees" and experience difficulties with integrating in the broader communities.

Conditions at IDP schools and the quality of education received by IDP children

As a result of severe under-funding, the condition of educational facilities for IDPs is poor and continues to deteriorate; the majority of IDP kindergarten and school buildings are in urgent need of repair; there is a lack of necessary equipment, as well as teaching and learning materials. Frequently, IDP schools have lower educational standards and are less involved in the educational reforms taking place in the country.

Segregated infrastructure

Segregation of IDP educational infrastructure not only contributes to a different quality of education, but also strengthens the isolation and exclusion of IDP youth and is inadmissible in any democratic society. At the same time, the need for desegregation meets resistance from both teachers' communities who fear for their employment and are concerned with their competitiveness in an integrated educational system and also from numerous bureaucratic cadre who may lose their *raison d'être* with change."

Trying to overcome feeling of isolation through common education for IDP and local children (October 2006)

UNICEF/NRC, October 2006:

"The schools in exile are also quite relevant to a discussion on stigma and social isolation as they seem to both contribute to the isolation of IDP children from the local children and, at the same time, are preferred by IDP children as a way to escape the prejudice they feel. From our data it seems that the isolation and stigma felt by IDPs may be caused by numerous dividers between the local and IDP populations including:

Jealousy and misinformation among the general population regarding the assistance provided to IDPs.

Entrenched prejudice within the Georgian society along lines of class, economic status and the rural/urban populations

Memories of the IDPs poverty and suffering when they first arrived in Tbilisi and the burden this population's movement placed on the local communities have been crystallized into a general attitude that has now been passed down to children of the new generation who have no memory of this event.

In response to these difficulties IDPs have developed strategies to cope with such isolation. One group of IDPs opened a kindergarten at their collective centers that provides for both IDP children as well as for locals. This has brought parents and children of local and IDP communities together while also providing a service for the community. Other families have taken their integration into their own hands and have left their free housing and IDP specific benefits in the collective centers in order to rent an apartment in the community and apply for social programs only as Georgian citizens.”

Displaced children face difficult conditions at schools (2000-2004)

- IDP children are entitled to free education at state secondary schools and to certain benefits when it comes to higher education
- Rate of illiteracy has increased among IDP children, due the fact that vulnerable displaced families cannot afford schooling costs (books, clothing)
- Fewer IDPs in collective centres are enrolled in higher educational institutions
- School enrollment of displaced children is high throughout the country but a high number of them actually do not visit schools, especially in the Zugdidi area
- Regions have different approaches, ranging from to the total integration of the displaced children into the regular system to the creation of a separate education system
- Experience in Zugdidi, where most displaced children visit separate schools run by displaced teachers, shows increasing isolation of the displaced children

OCHA, 19 November 2004:

“Pursuant to the "Law of Georgia on Internally Displaced Persons (IDPs) - the Persecuted", IDP children are entitled to free education at secondary schools. However, there still are problems with access to education for IDPs. The problems remain the same: poor conditions and neglect/discrimination of IDP schools, since often they are in much worse conditions than regular schools; lack of new teaching methodology among IDP educators, especially in the regions; lack of school materials; growing illiteracy among IDP children/youth; unmotivated/unpaid teachers; and lack of information on education reform. The findings of the IDP Education Profile Review in Georgia indicate the need to integrate the IDP schools into the general educational system and for IDP schools to participate in educational reform.”

Matiashvili, 2004, p.13:

“Educational institutions and special structures for IDPs (i.e. Ministry of Education of the Abkhaz Government in Exile, IDP kindergartens, schools) are operating according to the Law of Georgia on Education and other relevant legislation.”

UNA, 2000:

"IFRC reports that between one fifth and one third of the IDPs, as well as the local population, have a university degree. About one third of the relevant age-group (18-24 years of age) is continuing their studies, most of them at university or technical college. Slightly fewer IDPs in collective centers were enrolled at this level than in the other two groups due to lack of finances.

Then again, it is well known, that in Georgia enrollment in higher educational institutions (e.g., universities or institutes) is competitive and thus very often 'connections' accompanied by “bribes” are the process to get admission. **IDPs, most likely, are at a disadvantage when it comes to having 'connections' and being able to offer 'bribes'”** (Dershem/Gurgenidze/Holtzman November 2002, p. 7)

"From general figures the most interesting is that of enrollment: from 1 to 3 percent of children do not belong to any school at all. They usually assist their parents in trade by selling cigarettes or roasted sunflower seeds. The only fact that most of IDP children are enrolled in primary and/or secondary education does not mean that they actually have access to them. Number of absentees grows with time reaching in some regions (especially Zugdidi region). This problem is, basically, caused by the fact of impossibility by IDP parents to provide educational materials and decent clothing for their children who are otherwise shy to attend classes. Some children do not go to school due to missed years."

Education process of IDP children in school is either together with locals or separately. Different regions have different approaches in this direction from having no separate school (in Gori region) through allowing only several (one in Ajara and just few in Imereti serving 10-12% of IDP children) to having mostly separate education system (in Samegrelo)."

Matiashvili, 2004, p16:

"Overall, IDP schools can be divided into the following categories:

1. Schools operating in an emergency-like situation in Kodori Gorge and in the Gali district;
2. Schools, which moved with their whole staffs from the Gali district for the second time in 1998, currently operating in Zugdidi.
3. Schools in IDP collective centers (or near the collective centers) employing IDP teachers and staff from different parts of Abkhazia."

See also "[Monitoring of Legal and Actual Status of Internally Displaced Persons in Georgia](#)", section 2 on Education (pp. 10-14), report by the Georgian Young Lawyer Association [Internal link]

ISSUES OF SELF-RELIANCE AND PUBLIC PARTICIPATION

Self-reliance

Children seek employment opportunities to help their families (2006)

- Some IDP children become involved with work that involves taking risks to overcome their poverty

UNICEF/NRC, October 2006:

“The lack of employment opportunities and the need to contribute to family income means that some IDP children become involved with work that involves taking risks to overcome their poverty. Some children reported working in legitimate but potentially hazardous jobs, such as collecting bottles for recycling, collecting and moving scrap metal, working in construction and crossing into the conflict areas to harvest agricultural products. Children who cross to Gali to earn their living endure multiple risks from forced recruitment into the Abkhazian army, to forced labor, fear of abuse and financial extortion. Other youth have turned to illegal activities such as committing robberies, selling drugs or smuggling goods, such as cigarettes. Boys may join gangs as a means of gaining access to social networks in order to access livelihoods resources by illegal means. Turning to activities such as smuggling, theft and drug use increases youth's own physical and psychological vulnerability, places them at risk of imprisonment and brings problems of social insecurity upon their greater community.”

World Bank study finds no significant difference of employment between IDPs and general population (2005)

- Rates of employment among IDPs have stabilized to some degree because the governmental structures of Abkhazia, all of which are made up of IDPs, have remained intact and are considered “in exile”
- Study found that since 2002 the rate of employment for IDPs has been increasing and has surpassed the employment rate for the general population
- IDPs in urban areas are more likely to work in the public sector, while the general population tends to work in the private sector
- One outcome of many years of entitlements is that these programs may have developed disincentives for IDPs to seek employment, in that they prefer to live day-to-day until they are able to “return home.”
- IDPs living in collective centers do not possess the primary resource needed for subsistence agriculture, namely land
- Due to the destruction or fragmentation of their social capital since displacement, IDPs have limited access to information about scarce employment opportunities

World Bank, May 2005:

“Since the first displacement of persons in 1991, it was not unusual to find higher rates of unemployment among IDPs than the general population (GP). However, as the number of years has increased since displacement (for some IDPs it has been almost 14 years), there is a growing concern that IDPs are still confronting higher rates of unemployment than the GP.”

Despite displacement, the rates of employment among IDPs has been stabilized to some degree because the governmental structures of Abkhazia, including the Ministry of Internal Affairs, all of which are made up of IDPs, have remained intact and are considered "in exile." [...]

A sample of IDPs was drawn from the three main urban areas containing the largest number of IDPs living in collective centers and another comparative sample of the GP in the same urban areas. In addition, a random household sample of the general population (non-IDPs) was drawn in the same urban areas as a comparative group. The study found that the rates of employment between IDPs and the GP were found to be significantly different; however, this difference primarily occurred in a certain time period, between 1991 and 1999. Contributing factors to the higher unemployment rate among IDPs seems to be due to the confluence of several factors: a) displacement from their former employment; b) displacement to a collapsed economy with few employment opportunities; and c) years of uncertainty about the length of displacement created a distinctive to seek permanent employment.

Since 2002 the rate of employment for IDPs has been increasing and has surpassed the employment rate for the GP. This is most likely due to the socio-economic environment becoming more stabilized, the general employment situation starting to improve, and the need to economically to provide for a family. After many years of living away from their homes, assimilation has become tolerable and is starting to become a fact of life.[...]

Concerning monthly income from employment, the GP did have significantly higher rates of return than IDPs. However, IDPs and the GP who held identical higher paying positions (administrator/manager, skilled white collar, and skilled blue collar) in identical sectors (formal and informal) had similar wages and salaries. Thus, the significantly higher overall rates of return for the GP was primarily due to the GP having higher rates of employment in the private sphere whereas IDPs are predominately employed in the lower paying government sphere.[...]

In this study we did not detect any barriers or obstacles for IDPs in terms of obtaining employment, whether formal or informal, or the rate of returns from employment in the form of wages or salaries based on IDP status. Generally, IDPs have the same chance to be employed as the GP when having the same level of education, skills and experience. We did, however, find that IDPs have less quality of employment than GP (i.e., fewer hold higher status administrative/managerial positions).[...]

With few formal employment opportunities available, IDPs do not have the material resources needed for many informal income activities. The difficulty of finding formal employment opportunities has forced many Georgians to look for alternatives, leading to an increase in the number of self-employed workers. More than 78% of self-employed people are engaged in subsistence agricultural activities that allow them to avoid hunger but provide small -- if any -- monetary incomes. However, IDPs living in collective centers do not possess the primary resource needed for subsistence agriculture, namely land. In 1996, a law provided IDPs with the right to use allocated land, but IDPs were restricted from building any permanent structures. Such restrictions limit the ability of IDPs to compete in major informal economic activities, such as selling agricultural products or creating a small kiosk structure for retail trade and sales. Without collateral IDPs face many hurdles in obtaining even small credit for entrepreneurial activities. Due to displacement and unemployment, most IDPs do not have the material or financial resources to initiate even a small business.[...]

Conflict, displacement, cramped living conditions, provision of humanitarian assistance, poor job prospects as well as government entitlements have provided disincentives for IDPs to seek employment. Since displacement IDPs have received free-of-charge living quarters and humanitarian assistance in the form of food, clothing, and medicine. From the government, IDPs have been entitled to monthly stipends and benefits, such as subsidies for utilities and free

transportation on public transport. There is anecdotal evidence that these programs have led to attitudes of dependency, passivity and depression among IDPs. One outcome of many years of entitlements is that these programs may have developed disincentives for IDPs to seek employment, in that they prefer to live day-to-day until they are able to "return home." Due to the destruction or fragmentation of their social capital since displacement, IDPs have limited access to information about scarce employment opportunities."

Access to income generating activities: higher unemployment among IDPs (2000-2004)

- Some studies approximately 80% to 90% of IDPs receiving a government benefit compared to 40% to 50% of the general population.
- But IDPs have a lower monthly household income, on average, than the general population
- There is little difference in the proportion of IDPs living in collective living in collective centers and general households that operate a business
- IDP household businesses generally involve petty trade whereas businesses of households in the general population involve sells of agricultural production
- Strong informal social support networks created by IDPs help them to cope with economic and other hardships

Dershem/Gurgenidze/Holtzman, November 2002, pp. 5-6:

"Unemployment is a major problem throughout Georgia. However, most studies show that **the rate of unemployment is greater among IDPs** than the general population; ranging from rate of 40% of unemployment among IDPs living in collective centers vs. 20% for the general population. Some studies show, however, the difference in the rate of unemployment between the general population and IDPs decreases for those IDPs living in private accommodations, especially those living by themselves. Employment in Georgia is basically either through the public sector (although many of these jobs may a case of 'underemployment' and represent the 'working poor') or the private sector, comprised mainly of small individual or household enterprises in the informal economy. Employment of IDPs, whether living in collective centers or not, in the public sector is lower than the general population simply because these positions were held by the general population prior to displacement. Moreover, over the last five years employment in the public sector has been declining, which would not allow for many IDPs to be hired.

As for the private sector, employment is based on an individual or household having some basic resources (land, animals, building) to exploit for income generation. Most surveys indicate that IDPs in collective centers have few resources, where as IDPs in private accommodations may have some of these resources, which increase their opportunities for employment, compared to the general population.

Do you mean that unemployment in private accommodation for IDPs is very close to resident population or is it still significant but less than for collective centers? Do we think it is still a problem for private accommodation IDPs (or we don't know)? The operational difference is between focusing on collective centers because of a characteristics of the population there or of the collective centers themselves vs. obstacles to IDPs employment in general.

Government transfers, although small and paid sporadically, are one source of needed cash income. IDPs receive an 'entitlement' based on their IDP status, as well as the old-age pension, veterans, multi-child, and other government benefits such as subsidized electricity. Studies show approximately 80% to 90% of IDPs receiving a government benefit compared to 40% to 50% of the general population.

Thus, **IDPs are at more likely than the general population to receive government benefits.** IDPs receive an entitlement based on their political and not economic status. In addition to this entitlement and other government benefits, IDPs receive a disproportionate amount of the humanitarian aid. Using an expenditure (consumption) based income, IFRC reported an average monthly income in 1999 of 114 GEL for IDPs living in collective centers, 146 GEL for IDPs living in private accommodations, and 152 GEL of the local population. Using an income-based approach, SC reported, in the winter of 2002, a median monthly household income in 2002 of 111 GEL for IDPs living in collective centers in west Georgia and 171 GEL for the local population nationwide. Thus, whether using an expenditure (consumption) or income-source based method, **IDPs have a lower monthly household income, on average, than the general population,** especially IDPs living in collective centers. For IDPs living in private accommodations the income gap with the general population is much less.

Another economic survival strategy throughout Georgia is to operate a household business. One of the few studies to do so is SC's. In their survey of IDPs living in collective centers, and another one of the general population in west Georgia in February 2002, 14.1% of IDPs living in collective centers operated a household business increasing slightly to 16.5% of the general population. This indicates that there may be **little difference in the proportion of IDPs living in collective centers and general households that operate a business.** The basic difference between them is the type of household business; IDP household businesses generally involve petty trade whereas businesses of households in the general population involve sells of household agricultural production."

OCHA, 13 February 2003:

"Basic and urgent humanitarian needs still exist among some IDPs for food, health care and shelter. The allowance is sufficient to purchase 500g of bread daily, but it does not cover expenses for adequate caloric intake, let alone other household, hygiene and health needs. However, some IDPs with the physical or resource potential to meet their household needs are unable to do so because they cannot utilize this potential. These people require not only a response to their immediate needs, but also assistance to mobilize their own capacities to become self-sufficient. Such IDPs would also benefit from development activities aimed at improving their capacity to withstand risks (such as losing a job or poor harvests), prevent decapitalization, and falling into destitution again, requiring assistance to meet their basic needs."

Zoidze & Djibuti, 2004:

"IDPs are distinguished by very strong social support networks among themselves. Informal networks were reported to be particularly strong in IDPs residing in collective centers and in areas with apparent social isolation from local communities. These networks consist of friends, relatives, current and former neighbors from their original residences, are the most effective coping mechanisms for many IDP households to deal with economic and other hardships. These networks and labor migrants from IDP households and are the main sources of financial assistance to meet basic nutritional and health needs and in case of emergency."

The International Federation of the Red Cross conducted a survey of the IDP population in 1999. IFRC published this survey in November 1999 under the title "Internally Displaced Persons: A Socio-Economic Survey".

See also "[Cumulative Report on IDP employment issue](#)", UN Association of Georgia, 2000 [Internet]

See also a report from the Georgian Young Lawyers' Association, "[Monitoring of Legal and Actual Status of Internally Displaced Persons in Georgia](#)", 1999 [Internal link]

Current and past geographic locations of IDPs often impact on self-reliance opportunities (2003)

- Certain locations provide less opportunity than others, or/and may be characterised by more tensions with local population
- Place of origin of IDPs can have impact on access to resources, social networks and capital

Sumbadze & Tarkhan-Mouravi July 2003, p.31:

“Geographic specificities are relevant for designing IDP-related policies from two different perspectives. One of these is related to the location and type of the domicile of an IDP household. Certain locations indeed provide less opportunity than others, or/and may be characterised by more tensions with local population. One of such examples is Jvari in Samegrelo, a former settlement of construction workers for Enguri dam. There is no arable land, no employment or petty trade opportunity, and very scarce local resources, in addition to very difficult living conditions and poor social services. Especially important are the cases when the presence of IDPs have caused general deterioration of the quality of life in the area, either through excessive numbers of IDPs, or as a result of occupying for their accommodation main productive assets, as in the conspicuous cases of Tsqaltubo and Borjomi, where IDP presence have caused economic stagnation and degradation of infrastructure, and also certain tension among the host population.

Another important link to geography is related to the place of origin of IDPs, as this has impact on access to resources (such as land plots in Gali region and rural South Ossetia), but also on social networks and capitals. Depending on where the Abkhazian IDPs have originated from, they may occupy different accommodation locations, enjoy different levels of political leverage, or have connection on one or another market niches. So, e.g. IDPs from Gagra district were the first to arrive to Tbilisi, and in many cases they had better conditions for adaptation and better housing. IDPs from Gali, especially those who currently live in the neighbouring zone and shuttle to work on their plots in the conflict region, are prone to insecurity. Relatively recent IDPs of Ossetian ethnicity from Pankisi Gorge have mostly moved to Tskhinvali (as have previously Ossetian IDPs from outside South Ossetia), not under the jurisdiction of the central government, and hence live in totally different conditions. As noted above, in general IDPs from South Ossetia and Abkhazia, although entitled to same rights and benefits, receive different share of public attention and in general their conditions differ strongly.”

Many barriers to the agricultural sustainability of the displaced population (2000-2003)

- IDPs, especially those living in collective centres, have little access to land to produce their own food
- There is also a lack productive inputs, such as equipment and livestock
- The needs are more acute for IDPs in collective centres located in urban areas
- Under Georgian Law, an internally displaced person is not entitled to own land without losing the status of internally displaced person and the benefits that it entails
- 1996 Law on Internally Displaced Persons provides for the allocation of land plots to the displaced for temporary use
- Internally displaced persons have pointed to problems of corruption

Dershem/Gurgenidze/Holtzman November 2002, pp. 5-6:

"With the collapse of the economy and the high rate of unemployment since independence, most households in Georgia rely on subsistence agriculture for cash income as well as food security.

Most surveys find the IDPs, especially those living in collective centers, have little access to land in which to produce food, or potentially, a surplus to sell. In general, IDPs living in collective centers are 3½ times less likely to have access to land than the local population, and 2 times less than IDPs living in private accommodations. And, for the few IDPs that report having access to land, it is generally quite small; approximately 400m² on average reported by IFRC, which is 3 times less than the amount of land used by IDPs living in private accommodations and 6 times less than the local residents. Thus, **access to land is one of the primary disparities between IDPs and the general population.** However, this may not be as relevant for IDPs living in private accommodations by themselves or with host families. In addition, little is known about the proportion of IDPs who seek access to land but are unsuccessful, and for those who were successful, how it was accomplished.

As for IDPs living in collective centers in urban areas, urban agriculture is not a new phenomena and in transitional economies is quite prominent. Although the number is not known, some IDPs classified as living in urban areas actually live in peri-urban areas that potentially available land. Thus, access to small plots of land is an important strategy for basic household food security and income generation.

Although land is one of the most important inputs in subsistence household agriculture other productive inputs are also needed to produce food and a surplus, such as equipment and livestock. The IFRC and SC's surveys found that IDPs living in collective centers were 2 times less likely to own poultry than IDPs living in private accommodations and 4 times less likely to own poultry than local residents. A similar gap was found for the ownership of livestock, especially pigs and cows. IFRC and SC's surveys found that IDPs living in collective centers were 2 times less likely to own pigs than IDPs living in private accommodations, and 3 times less likely to own pigs than the local residents. As for another important livestock, IDPs were 3 times less likely to own cows than IDPs living in private accommodations, and 5 times less likely to own cows than the local residents.

As for equipment, cars can transport supplies to the field and products to market, tractors can prepare land, and sprayers can protect produce in the field. IDPs living in collective centers are 2 times less likely to own a car than IDPs living in private accommodations and 6 times less likely than local residents. For tractors and sprayers, local residents are 2 times more likely to own them than IDPs living in collective centers or private accommodations. Thus, most studies report that **IDPs have substantially fewer productive assets than the general population.** Again, this situation applies mostly to IDPs living in collective centers, and especially to those living in urban areas."

OCHA, September 2003, p. 3:

"As regards to exercising IDP economic rights, it is worth noting that although the basic law regulating IDP rights exempts IDPs from taxes on agricultural lands for temporary use, IDPs fail to enjoy the right, as the exemption provided by the law on the displaced is not envisaged by the Georgian Tax Code. Therefore, it is recommended to amend the Tax Code so as to unambiguously inform IDPs and the relevant structures on the above-mentioned exemption."

The International Federation of the Red Cross conducted a survey of the IDP population in 1999. IFRC published this survey in November 1999 under the title "Internally Displaced Persons: A Socio-Economic Survey".

Save the Children conducted a survey on an annual basis from 2000 to 2002. This survey was designed to provide comparable data of IDPs living in collective centres and local households in the regions of Samegrelo and Imereti, Western Georgia.

GYLA, 1999, pp. 19-20:

"According to Law on IDPs, IDPs should be provided with plots of land and they should have the right of temporary users in these plots. This is obligation of local authorities. During questioning cases have been discovered when IDPs directly pointed on corruption: while requesting the plot of land if they did not pay "extra expenses" they either did not receive land (because limited land fund), or received it but of such a poor quality and so far from places of their settlement, that there was no sense in using the land. Besides the general responsibility of providing lands to IDPs, there is no program designed for assistance during cultivation of land. While it is impossible to cultivate the land without necessary equipment."

Poor economic situation in South Ossetia hampers large-scale return of the displaced (2000-2002)

- The situation of the displaced, returnees and the local population is extremely difficult
- Returnees stay only in their houses during the cultivating season and go back to Georgia proper during the winter months
- Displaced persons of working age remain in Georgia proper or North Ossetia, where economic and employment opportunities are comparatively better
- There is a need to support the general economic development of the region

UNCHR, 25 January 2001, para. 102-103:

"Though the number of returns to South Ossetia is [...] much greater than to Georgia proper, it must be said that, for many returnees to South Ossetia, return is only semi-permanent. As an indication of the semi-permanent nature of return, it was estimated that about 50 per cent of rehabilitated houses in the region are unoccupied for a significant part of the year, usually during the winter months outside of the cultivating season and when the weather is warmer in other parts of Georgia. The poor economic situation in the region relative to that in Georgia proper and North Ossetia is the primary factor for this seasonal population movement. In general, and certainly with respect to those who remain permanently, most of the returnees coming from outside of South Ossetia are pensioners and elderly persons, whereas displaced persons of working age remain in Georgia proper or North Ossetia, where economic and employment opportunities, though still limited, are comparatively better (it was suggested that the living standard in South Ossetia is about half of what it is elsewhere in Georgia). UNHCR has observed that more sustainable return has occurred since it began providing returnees with agricultural inputs.

There is also a need to support the general economic development of the region. Though Tskhinvali was said to have previously been an industrial centre, there was little evidence of this as a result of the destruction of infrastructure and industry that had resulted from the war."

Situation of unaccompanied children and elderly IDPs (1999)

- Orphan IDPs often taken care of by relatives
- Old people are attended in communal IDP shelters

The Horizonti Foundation, 29 January 1999, sect.9:

"Children without persons accompanying - there are orphan children but they have persons to take care of them. Grand parents or relatives are taking care of them. The refugees socium has found mechanisms of additional protection. This is visible especially in respect of children. There

are no vagrants among refugee children almost. No cases of giving away children for adoption, all the children are living with their relations and neighbors.

The same could be said about old people. They are under protection at the centers of mass living of refugees. They are in a very poor situation being aided by strangers for such a long period of time.

Public participation

IDPs struggle to have their political voices heard (2006)

- Moving of some functions of Abkhazian government in Exile to Kodori Gorge
- Since 2004, no MPs in the Georgian parliament explicitly represent IDPs
- Several strong, local NGOs have been created by IDPs to advocate their rights and provide assistance

ICG, 15 September 2006:

"IDPs struggle to have their political voices heard. Until recently they channelled most of their grievances through the Abkhaz government in exile. President Saakashvili in July 2006 announced that structure would be moved to Kodori Gorge, far from most IDPs and their concerns. Tbilisi had already undertaken a large-scale reform of the government in exile – cleaning up corruption but also cutting staff and budget more than half. Since then IDPs have felt disempowered. Strong informal networks, particularly in the collective centres, are one of the remaining ways for them to mobilize but as these are closing, their mobilising capacities are weakening.[...]

One of the consequences of Georgia's Rose Revolution was the appointment of Irakli Alasania²³⁹ as chairman of the council of ministers in exile in October 2004. He rapidly embarked on fundamental reforms. In November 2004 the Council cut staff to 2,000. Currently the "Government of Abkhazia" has four ministries (education and culture; economy; finance; and labour, healthcare and social issues) and seven departments.²⁴¹ The 2006 budget is some 8 million GEL (\$4.5 million); of which almost 6 million GEL is a transfer from the Georgian state budget.[...]

As IDPs' political influence through the government-in-exile diminishes, their ability to express themselves through the regular political process becomes more crucial. The first countrywide local elections since the Rose Revolution provide an opportunity in October 2006 for IDPs to actively participate in political life. Recent amendments have given them the same right to vote and stand for local and parliamentary elections as other citizens.[...]

Currently there are no MPs in the Georgian parliament explicitly representing the IDPs. Until late 2004, Abkhazia and the IDP community were represented in the parliament by eight MPs, who had been elected in 1992. Article 127 of the 2001 election code allowed these to stay in the parliament "until the jurisdiction of Georgia is fully restored in Abkhazia and necessary conditions are established for elections of Members of the Parliament of Georgia". Amendments in September 2004 abolished Article 127. Since then those seats have been vacant. IDPs do not have their own political parties, and IDP issues rarely are featured in political party programs.

Several strong, local NGOs have been created by IDPs to advocate their rights and provide assistance. In 2002 a Caucasus-wide coalition of IDP NGOs (Gringo) was set up. The

government in exile has a TV station that transmits weekly, a radio station, and a newspaper (the Voice of Abkhazia) with a very small circulation. It also maintains an information website. IDPs do not formally take part in either the Geneva or Sochi processes. However they are active in other contacts."

IDMC, May 2006:

With the support of the Danish Refugee Council, some collective centres in the city of Kutaisi have chosen a representative who is registered as a "lobbyist", in accordance with Georgian legislation which gives registered people the privilege to have access to parliament structures. Chosen representatives collect IDPs requests from collective centres and then advocates for IDPs' rights to the Parliament. The main issue is the privatization of collective centres.

Reform of election code restored IDPs' voting rights (2002-2004)

- IDPs could exercise their right to be elected in the November 2003 parliamentary elections
- Parliamentary elections were held again in March 2004, as the results of the Nov 2003 election were nullified
- Only 35 percent IDPs voted nationwide in March 2004 elections
- Electoral code was amended in 2002 and in 2003 to guarantee IDPs' voting rights
- The reason to discriminate against IDPs' political and civil rights were political

Zoidze & Djibuti, 2004:

"The participation of IDPs in public life is also constrained. Until recently, IDPs have been limited in their constitutional right to elect local representatives. Violations of other political and civil rights of IDPs, signs of social isolation and "stigma" attached to the IDP status had been reported in numerous publications and have been reconfirmed through the FGDs [Focus Group Discussions].

Discrimination against IDPs

Dershem/Gurgenidze/Holtzman, November 2002, p. 36:

"IFRC reported in 1999 that IDPs participated as fully as local residents in those elections in which they were entitled to vote, for President and Parliament. However, IDPs were not allowed to participate in elections for local councils, which requires permanent residential status."

Deng, 10 June 2003:

"The reasons for this restriction were not legal, but political. First, it was feared that if the displaced persons were to have a stake in the political processes in the areas where they resided, this would encourage their local integration and they would consequently lose the impetus to return to the territories of Abkhazia and South Ossetia (currently outside the Government's control). However, there is no objective reason why displaced persons should not be able to vote for the representative of the area in which they reside, and without in any way relinquishing their right to freedom of movement and right to return. Second, the concern has been raised that in a number of districts displaced persons outnumber the local population and could therefore unduly determine the outcome - an argument which runs counter to the principles of democracy. Those in favor of restricting voting rights also contended that internally displaced persons from Abkhazia already have political representation in parliament, through the deputies of the Abkhaz Government-in-Exile. These representatives, however, were last elected in 1990. In keeping with the right to political participation, internally displaced persons should be able to exercise and renew their rights to political participation on a regular basis. Moreover, according to the Georgian Constitution, international treaties ratified by Georgia take precedence over domestic law."

Amendment to electoral code in 2001 and 2002 to address discrimination

Brookings-SAIS Project on Internal Displacement, 5 November 2004, pp37-38:

"In August 2001, the Parliament of Georgia adopted the Organic Law on the Unified Election Code of Georgia, which removed the earlier restrictions on IDP voting in local elections. IDPs could henceforth participate in local elections according to their current place of residence.[...]

Further amendments to the Unified Electoral Code made in August 2003 introduced provisions enabling IDPs to vote not only in the proportional component but also the majoritarian components of parliamentary elections. In other words, IDPs could now vote for the member of Parliament representing the district in which they currently were residing. The mandates of the Parliamentary deputies from Abkhazia would nonetheless continue to be extended.

The revised Unified Election Code of Georgia affirms, in Article 5, the right of every Georgian citizen 18 years of age and older to vote in all local, Presidential and Parliamentary elections. Article 9 regarding the registration of voters contains a number of special provisions to enable IDPs to realize this right. In general, voter's data is to be entered in the general list of voters according to the place of his/her residence. In the case of IDPs, however, the law specifies that IDPs "shall be entered in the general list of voters at their actual place of residence", for which the place of "temporary residence shall be indicated". This provision means that IDPs no longer need to change their place of permanent residence and give up their IDP status in order to vote in their current places of "temporary" residence. As in local elections, IDPs' names are included in the general list of voters based on the data on IDPs provided by the Ministry of Refugees. On election day, and on the basis of the voter list, each voter is to be issued a ballot paper after they submit certain documentation; the new Election Code specifies that an IDP Certificate counts among the accepted pieces of documentation. Furthermore, the revised Code affirms the right of every citizen to be elected as a member of Parliament and representative of local government, without any apparent restriction, for example changing permanent registration, which would impede this right for IDPs."

Brookings-SAIS Project on Internal Displacement, 5 November 2004, p.35:

"IDP communities and civil society were particularly active in pressing for a review of national electoral legislation and for ensuring that this process included attention to the concerns over IDP voting rights."

Parliamentary Elections 2 November 2003

OCHA, December 2003, p.1:

"Public awareness campaign for IDP voting Rights was launched and implemented to promote and stimulate IDPs' participation in Parliamentary elections of 2 November (a video clip featuring former Defender, Central Electoral Commission Chairperson, Nana Devdariani was shot; 3,000 posters with key information on elections were distributed throughout Georgia in collective centres, Post-Bank branches, Precinct and District Election Commissions)."

OCHA, December 2003, p. 9:

"Efforts to enforce IDPs' political and civil rights had long been neglected, mainly because of political considerations. However, a major progress has been achieved of late: at the November Parliamentary elections, for instance, IDPs could for the first time exercise their rights to passive (the right of citizen to be elected as the President, a member of the Parliament and the representative body of local self-governance – sakrebulo, a gamgebeli and a mayor) and active (the right of a citizen to elect, as above) votes."

Brookings-SAIS Project on Internal Displacement, 5 November 2004, p39:

"These elections were the first governed by the significant amendments incorporated into the Unified Election Code in August 2003, according to which IDPs, for the first time, would be

allowed to vote as well as stand for election in majoritarian as well as proportional elections, and without loss of IDP status or benefits.”

Report of the international election observation mission:

OSCE, 28 January 2004, p. 6:

"Repeating a pattern noted during previous elections, in August 2003 the [Unified Election Code (UEC)] was amended substantially while election preparations were already underway. The UEC incorporated many recommendations made by the OSCE/ODIHR and the Council of Europe's Venice Commission. Overall it provided an adequate framework for the conduct of democratic elections if implemented impartially and uniformly. Recommendations adopted by Parliament included provisions to:

- Permit internally displaced persons (IDPs) electoral rights in majoritarian contests"

OSCE, 28 January 2004, p. 10:

"Reports on errors in voter lists included: omitting entire apartment blocs or streets; voters being listed in the wrong districts; listing many deceased persons; and large numbers of duplicate entries. Despite the enormity of the task, many PECs worked conscientiously to rectify errors. However, some PECs failed to supply PECs with voter lists, and many PECs appeared unfamiliar with new registration procedures and applied inconsistent methods. Many failed to display lists in a systematic or practical manner, and many minority populations were unable to read lists produced in Georgian. Other problems included: a 2,250-page list of deceased persons in Tbilisi that was unusable as it was not broken down by district or precinct; IDP voters not being systematically included in lists; and significant numbers of voters lacking ID documents."

Brookings-SAIS Project on Internal Displacement, 5 November 2004, p.40:

"Parliamentary Elections, 28 March 2004: Repeat parliamentary elections were held as a result of the nullification of the results of the parliamentary elections of 2 November [2003]. In all but two districts, 240 these elections concerned only the proportional component of the elections since the majoritarian elections of 2 November were not challenged, despite, the OSCE's finding that many of these were "equally flawed."²⁴¹ The OSCE report on the conduct of the election contains no reference to IDPs. However, among the identified problems which possibly may have had a bearing on IDP voting were that "potentially significant numbers of eligible voters lacked identity documents" and that "concern was expressed that some voters were registered at polling stations in places other than their official residence." Indeed, it appears that many IDPs failed to exercise their right to vote. A survey on IDP voting that was commissioned by UNDP and undertaken by a consortium of Georgian research organizations determined that voter turnout among IDPs nationwide was only 35 percent, which was "much lower" than among the general population.²⁴³ Among the reasons put forth to explain IDPs' low voter turnout were that "IDPs are less optimistic and lack faith in [*sic*] the improvement of the situation in the country through the elections". Because "IDPs are not able to assimilate with the population in [their] new places of inhabitation, [the] feeling of alienation is very strong" and "[t]herefore, IDPs do not interpret the elections as decisive" for them. These findings suggest that securing, in national legislation, the right of IDPs to vote is just a first step towards their political participation. So often marginalized in society, IDPs will also need to develop a belief that political structures will be responsive to their concerns.

Finally, in a significant development, the mandate of the Abkhaz parliamentary deputies, who were last elected in 1992, was revoked by a decision of Parliament on 30 April 2004. Their seats will be left vacant until such time that parliamentary elections can be held again in Abkhazia. Reportedly, this decision was not unanimously welcomed by IDPs, some of whom felt that with the loss of these deputies in Parliament, there is no longer anyone in Parliament who shares their identity and, in an environment where "politics and representation is still a question of personal networks," will really press for their interests.²⁴⁵ This concern would seem to underscore the importance of IDPs themselves running for parliament, now that they are eligible to do so."

According to a survey conducted prior and after the March 2004 elections, the low participation of IDPs may be explained by several reasons:

BCG Research, May 2004, p.5:

- a) "according to the information of the State Department of Statistics, social and economical situation of IDPs is worse than the situation of other groups of the population that causes the deterioration of status of IDPs and the neglect of the entire country;
- b) due to same, IDPs are less optimistic and the lack of faith to the improvement of the situation in the country through the elections. [...]
- c) IDPs are not able to assimilate with population in new places of inhabitation, and feeling of alienation is very strong in them. Therefore, IDP do not interpret the elections as decisive moment important for the country."

For more information on the regime on voting rights for IDPs as of 2004, see Georgia Chapter in Brookings-SAIS Project on Internal Displacement, Internally Displaced Persons' Voting Rights in the OSCE Region, November 5, 2004, by Erin Mooney and Balkees Jarrah [URL below]

IDPs in collective centres are socially isolated (2000-2002)

- As the size of the collective centers increase in a community the relations between IDPs and the general population becomes less friendly

Dershem/Gurgenidze/Holtzman November 2002, p. 36:

"In [Save the Children's] 2002 survey, IDPs in collective centers and the general population were asked, 'approximately how many adult relatives /friends /neighbors live in this city/village who you believe will help you if needed?' A slightly higher percentage of IDPs living in collective centers, about 30%, mentioned no one would help them compared to 23.5% of the general population. Thus, **a slightly higher percentage of IDPs are socially isolated than the general population.**

As for community relations, IFRC and SC report that, on average, **IDPs and local residents have almost similar views of their relation: neither very friendly nor very hostile.** However, SC study in 2002 found that **as the size of the collective centers increase in a community the relations between IDPs and the general population becomes less friendly."**

The International Federation of the Red Cross conducted a survey of the IDP population in 1999. IFRC published this survey in November 1999 under the title "Internally Displaced Persons: A Socio-Economic Survey".

Save the Children conducted a survey on an annual basis from 2000 to 2002. This survey was designed to provide comparable data of IDPs living in collective centres and local households in the regions of Samegrelo and Imereti, Western Georgia. Data collected in 2000 for this survey are available on [Assistance Georgia](#), the website of the humanitarian community in Georgia [Internet]

Parallel structures of governance function as an assistance network for the displaced from Abkhazia (2001)

- The creation of a government-in-exile has allowed many displaced to keep their jobs
- The Supreme Council, which was the highest legislative body in the AR of Abkhazia before the war, was reconstructed in 1995

- The government-in-exile's hard-line stance on Abkhazia has been an obstacle to many peace initiatives

Kharashvili, 2001, pp. 234-235:

"After the Georgian population fled Abkhazia in the autumn of 1993, they restored the Georgian segment of executive power from Abkhazia to create a virtual government-in-exile with the intent of making it easier for people to trace relatives, find accommodations, benefit from humanitarian assistance and otherwise cope with their displacement. Each ministry or department of the central Georgian government allowed its counterpart from the AR of Abkhazia to use its facilities to register staff who had worked before the war for the same organisation in Abkhazia.

By retaining these structures of government, some of the displaced were able to continue to work, not just in the government bureaucracy, but also as teachers, doctors and other specialists. For example, the exiled Ministry of Public Health provided the displaced population with qualified medical assistance and distributed medicines among the most vulnerable persons. The creation of two polyclinics for the displaced in Tbilisi and several others in other areas, including Zugdidi and Kutaisi, allowed the disabled, newborn, pregnant women and elderly among the displaced population to be registered for special assistance. Although these polyclinics are not well equipped, they do have qualified professional personnel on staff.

Administrative structures from Abkhazia were also revived, so a displaced person who lost identity documents during the flight could apply for new documents to the municipality of his/her city in exile. The displaced also have their own military commissariat, tax authorities, police force and many other institutions and agencies.

The Supreme Council, which was the highest legislative body in the AR of Abkhazia before the war, was reconstructed in 1995 following a decision by the Georgian Parliament. According to an election law adopted shortly before the war, the Abkhazian minority in Abkhazia had a special quota for representation in the Supreme Council. Representing 17.8 per cent of Abkhazia, they had 28 seats in the Supreme Council; Georgians, who represented 45,6 per cent of the population, held 26 seats. Eleven more deputies represented Abkhazia's other ethnic communities. The reconstructed Supreme council consist of 24 deputies.

Both the Abkhazian Council of Ministers and the Supreme Council of the AR of Abkhazia in exile say they represent the displaced in Georgia, and the official Georgian government recognises them as representatives of the displaced community. Yet both bodies maintain a radical position regarding the conflict-resolution process, a position that is not shared by a large part of the displaced community. The government-in-exile's hard-line stance on Abkhazia has been an obstacle to many peace initiatives developed in Georgia proper and by the displaced population itself."

Marginal political participation of displaced women (2000)

- Internally displaced women are not associated to the political process of post-conflict Georgia and the privatization
- Absence of political mobilization and lack of knowledge about rights make programmes educating women about their rights, in particular in rural areas, indispensable

Buck, September 2000, pp. 9-10:

"Internally displaced women remain very much disconnected from the political processes of postconflict Georgia. As in the broader Georgian and Caucasian political world, there are disproportionately few women in position of power. No women had central roles in the political

run-up to the wars in Abkhazia and South Ossetia; likewise, no women currently participate in the ongoing political negotiations between the Georgian and separatist Abkhaz governments. Almost universally, the handful of displaced women currently in positions of power at both the national and local levels are former communist elites with little interest in advancing women's rights - displaced or otherwise.

The main representative institution for the IDP community from Abkhazia continues to be the 'Government of the Abkhaz Autonomous Republic in exile,' composed of the same unelected Georgian-Abkhaz party officials in power at the start of the war, though now residing in Tbilisi as a de facto shadow cabinet to the separatist Abkhaz government. Women interviewed by the CDIE team expressed almost universal disgust with the institution. They perceived it to be genuinely uninterested in and out of touch with issues and concerns of displaced people. Complaints about the government-in-exile typically revolved around nepotism and corruption (Zurikashvili 2000, 4).

Segregation from local communities and a lack of permanent residence has had adverse effects on the political rights of displaced women. In its report to the UN Development Program, the Gender Development Association (an indigenous women's group) notes that participation of displaced women in local elections and in privatization processes has been impeded by restrictive regulations and laws unmodified in the aftermath of people settling in collective centers and with host families (GDA 1999, 68). Many respondents in the survey voiced deep frustration with a lack of any kind of representation from local officials. Women were particularly concerned with the glaring absence of representation by the displaced in the privatization processes taking part throughout western Georgia. Those who confronted local officials about privatization issues were met with weak arguments and vague promises (Zurikashvili 2000, 4).

Most displaced women interviewed were much more interested in everyday economic and psychosocial issues confronting their families and communities than they were in political questions. Political mobilization and motivation were rare, if not nonexistent. No survey respondents were members of political parties. Most felt betrayed and abandoned by President Shevardnadze's government, which was blamed by many for losing the war and abandoning displaced persons in their times of deepest need. Local officials, as mentioned above, tended to be distrusted. Individual leaders in the displaced-women community who have taken their concerns to local and government officials have tended to be striving in two general directions. First, leaders press officials regarding the immediate everyday needs of displaced communities. Second, they are concerned with improving and speeding the negotiation and repatriation processes with the Abkhaz government, with the ultimate goal of returning home and taking up their 'real' lives once again. Displaced women were often unaware of their rights. Of the 105 displaced women questioned in the survey, only 5 knew of their basic human rights under the UN Declaration of Human Rights and the Convention for the Elimination of Discrimination against Women. Of those five, two leaders of women's organizations and three had recently graduated from university. The Georgian government has recently passed laws defending the rights of women, mothers, and children, but as several displaced women leaders stressed, most displaced women remained ignorant of the laws and their legal consequences. Several displaced women's organizations have dedicated efforts and programs to educating women about their rights, in particular women residing in rural and remote regions of the country (Zurikashvili 2000, 4)."

See also case studies on the Koka Farmers' Union: "[Cooperative boosts self-respect of displaced Georgian women](#)", Center for Development Information and Evaluation, USAID (July 2000) [pdf][Internet]

See also "[Willingness to participate voluntarily in community affairs](#)", SCF survey, February-June 2000 [Internet]

DOCUMENTATION NEEDS AND CITIZENSHIP

General

Law on Citizenship of the Republic of Abkhazia creates difficulties for returnees (2006)

- Law does not apply to ethnic Georgians who had fled Abkhazia and then returned to Gali
- According to the law, non-Abkhaz “citizens” “have a right to obtain citizenship of the Russian Federation only”, which includes the option of returnees to keep their Georgian passport when acquiring Abkhaz “citizenship

CHR, 22 March 2006:

“The ‘Law of the Republic of Abkhazia on Citizenship of the Republic of Abkhazia’ of October 2005 [adopted by de facto authorities in Abkhazia] potentially creates important difficulties and administrative hurdles for returnees who do not want to accept Abkhaz citizenship even if it were not imposed on them and has no international significance. Certain parts of the ‘law’ contain provisions discriminating against persons of non-Abkhaz origin, including Georgian returnees.

For example, the ‘law’ makes the granting of citizenship conditional upon residence on the territory of Abkhazia during a period coinciding with the time closely after open hostilities had ceased, which was when many Georgians had fled the region. Its article 6 restricts the possibility of acquiring or maintaining dual citizenship to persons of Abkhaz ethnicity, while non-Abkhaz “citizens” “have a right to obtain citizenship of the Russian Federation only”, thus clearly excluding the option of returnees to the Gali district to keep their Georgian passport when acquiring Abkhaz “citizenship”. Concerning the law’s implementation and application in practice, de facto authorities in Sukhumi informed the Representative that Abkhaz “citizenship”, which, absent international recognition of Abkhazia’s independence, has an internal meaning only and would not be imposed on anyone including Georgian returnees. However, officials differed in their account of the impact which the lack of Abkhaz identity documents would have on Georgians who already had returned or would do so in the future. According to their diverging views, consequences for non-Abkhaz citizens would range from an exclusion from the right to vote and the obligation to perform military service, over the possible non-acknowledgement of their legal identity by administrative authorities, to their treatment as foreigners including the possibility of expulsion. The law may also be seen as creating a hostile atmosphere towards returnees and thus constitute a psychological obstacle to return.”

Many IDPs have lost their personal identification documents (1999-2006)

- Identification documents cumbersome to renew
- IDPs hesitant to give up their Soviet passports

The Horizonti Foundation, 29 January 1999, sect.3:

"Personal identification is a serious problem in the regions of Georgia. Many of the refugees have lost their documents in the conflict zone and it is very complicated to renew them. There are cases when a person addresses corresponding instances several times but in vain, as he/she is

asked to pay or submit a document (e. g. birth certificate) and he/she has none and has to live without any document. Often, these persons have problems with the police."[...]

The refugees do not want to give up their soviet passports as permanent residence is not written in the identification cards and the soviet passports are the only documents for them to prove their permanent residence when they return to Abkhazia. Therefore, the refugees from Abkhazia have refused to give up their passports. And, it has been decided to give the refugees new identification cards and enable them to keep their soviet passports at a time. Besides they have certificates of refugees issued by the Ministry of refugees and accommodation. These certificates are often changed and this entails many technical complications."

NRC, 1997, p.17:

"Ninety-nine percent [of IDPs] claim to be registered with the Ministry of Refugees and Accommodation of Georgia, and possess respective cards. Only 1% of the [IDP] respondents reported to have no IDP card."

IDMC, May 2006

The archive in Abkhazia with birth & death records burnt during the conflict. IDPs then have to obtain such documents through courts which are able to issue them.

IDP families received one card per family. Now that families have grown, they still have the same card.

ISSUES OF FAMILY UNITY, IDENTITY AND CULTURE

General

While many IDP children have never lived in Abkhazia, they are still affected by the context of internal displacement (2003)

Sumbadze & Tarkhan-Mouravi, July 2003, p30:

Belonging to a certain generation is an important factor of vulnerability, as define opportunities for job and income, social flexibility and dynamism, or dependence on others. IDP children in general deserve special attention, as disadvantaged and vulnerable due to the unfavourable environment for personality formation (e.g. due to inadequate accommodation and lack of privacy), uncertain future and limited access to quality education and healthcare. Among IDPs there are 63,927 children under 17, which means that about 24% of IDPs were either born out of Abkhazia or were under 6 when had to flee, and therefore have very vague understanding of where they are supposed to return.³⁷ The effect of high exposure to crowding, living in dilapidated surroundings, and growing as IDP, which by the majority is perceived as derogatory status, - has not been specifically studied in Georgia, but by the worldwide experience is associated with low self-esteem, tendency toward delinquency and psychological and psychosomatic problems. Another important factor is the perception of Abkhazia and Abkhazians (less so of Ossetians) by the young generation, who in fact has no first hand information or impression of the people with whom they have to live after return. If in their parents' minds, along with the negative images of Abkhazians there are memories of friendship and good relations, the young generation probably has solely an enemy image of Abkhazians. Victimization among young generation may be revealed in later life either through search of an enemy image and aggressive tendencies, or the passivity and search of a saviour figure."

Changing gender role: displaced women become the main household income earners (2000-2003)

- 72% of the displaced women were fully employed before the conflict while more that 60% of them were currently formally jobless in 1999
- They have however adapted much more readily to their new situation as displaced persons than have men and have become the main source of income in most displaced families
- Displaced women in urban areas are engaged in trade but are reluctant to register their activities with the government out of fear that existing humanitarian aid would not be distributed to "working" women and their families
- In western Georgia, women make up the vast majority of the seasonal agricultural work force on tea plantations and in corn farming
- Increasing numbers of Zugdidi-based displaced women have also begun to cross the border into the Gali region of Abkhazia to tend to family farms abandoned during the conflict
- Displaced women seeking basic loans to begin or expand their trading have turned to donor microcredit programs
- Women are still expected to perform traditional household duties of feeding and caring for their children, even after long and difficult days trading on street corners and in market places

Buck, September 2000, pp. 7-9:

"As in all intrastate conflicts, the forced displacement had major economic effects on the many thousands of internally displaced women who fled Abkhazia and South Ossetia. Prewar Georgia had been one of the wealthier republics in the former Soviet Union, benefiting in particular from its agriculture-intensive position as the breadbasket of the USSR. Abkhazia itself had long had the reputation as the richest region within Georgia, with its highly fertile lands accounting for much of Georgia's agricultural output and its strikingly beautiful Black Sea coastline attracting multitudes of tourists from through-out the Soviet Union.

Most of the Georgian women who fled the region left relatively prosperous lives behind them. Many were trained professionals who had worked as teachers, economists, and in manufacturing and healthcare, among other trades. Seventy-two percent of displaced women surveyed had been fully employed before the outbreak of war. Over 21 percent of displaced women, meanwhile, had completed higher education degrees, while 31 per-cent had finished vocational or professional schooling (Zurikashvili 2000, 5, 8).

In the years since the displacement, internally displaced women and men have struggled under the massive weight of poverty and unemployment. According to unofficial statistics, 75 percent of displaced families earn less than half the monthly subsistence income level, set by the Georgian government at \$35 per family member (Zurikashvili 1998, 8). Unsurprisingly, physical displacement has been accompanied by widespread professional displacement. The UN High Commissioner for Refugees and the Norwegian Refugee Council concluded in 1998 that upwards of 64 percent of internally displaced persons were jobless (GDA 1999, 69). The CDIE survey confirmed that formal employment was one of the most acute and unsolved issues for displaced women, increasingly demoralized by almost a decade of epidemic-level rates of joblessness. Of women questioned in the survey, 68 percent were without work as of late 1999 (Zurikashvili 2000, 7-8).

Faced with such difficult living conditions, many internally displaced Georgian women have quietly taken the lead in providing basic income and food for their families. They have adapted much more readily to the extreme stresses of the life of displaced persons than have men. They have begun to alter the long-standing tradition of men as main earners and providers for the family.

According to a 1998 survey organized by the Women's Study Center of Tbilisi State University, women have come to be the main sources of income in 72 percent of Georgian displaced families. Displaced women have left their shelters and homes by the thousands throughout Georgia to squeeze out meager livings through unofficial trade and agriculture. In larger cities such as Tbilisi, they have become the backbone for much of the unofficial or gray-market trade that has flourished in recent years. They sell products in crowded bazaars, on street corners, in subway stations, peddling everything from sunflower seeds to imported electronics. Some women have opened street kiosks selling basic foodstuffs, cigarettes, and alcohol, to name a few of the items offered. The vast majority of the trading remains unofficial; 75 percent of the women questioned in the 1998 survey had refused to register their activities with the government (Zurikashvili 1998, 8).

Trading activity was rarely considered 'work' by the women themselves. Indeed, many women interviewed considered themselves unemployed even as they spent long hours laboring on streets and in markets. Others would simply not admit to their trading, even when sacks of produce were clearly visible in their living quarters. Reasons for the silence range from basic shame to the common fear that existing humanitarian aid would not be distributed to 'working' women and their families. Women traders, often skilled and educated professionals or farmers during their previous lives in Abkhazia, equated trading with basic survival and were rarely proud of their activities. The large majority made barely enough to make ends meet. One women

surveyed spoke for many when she said, 'We all consider ourselves unemployed, as all we can earn is the money for our daily bread' (Zurikashvili 2000, 8).

Major obstacles exist for displaced women who hope to transform trading from a method of survival into a formal venture. The 1998 survey found that 94 percent of displaced women who traded were strongly dissatisfied with business conditions. Corruption, extortion, and stifling tax levels were all cited as major impediments. Of those questioned, 93 percent claimed to have paid 'tributes' to the police, local administrations, and tax collectors (Zurikashvili 1998, 8).

As in cities, displaced women have become increasingly active in rural areas, providing needed food and income for their families and altering traditional gender roles along the way. In western Georgia, women make up the vast majority of the seasonal agricultural work force on tea plantations and in corn farming. One group of Zugdidi-based displaced women formed a small cooperative association, called Koka, that produced basic agricultural goods including fruits and milk products on donated farmland. Food was produced both for members' families and for trading in the marketplace (see box).

Increasing numbers of Zugdidi-based displaced women have also begun to cross the border and brave the short trip into the Gali region of Abkhazia to tend to family farms abandoned during the conflict. Known as pendulum migrants, these women grow vegetables, fruits, and nuts both for their own family and for trading in markets. They travel to Abkhazia early in the morning, often bribing Russian peacekeepers guarding the border, and return very late the same day. Though Abkhaz authorities have tolerated 'pendulum migration,' these displaced Georgian women work and travel in constant fear of Abkhaz reprisal.

Georgian men rarely risk the journey, so sure are they of military reprisal. From a gender perspective, this phenomenon represents yet another economic change attributable to the conflict as women have taken over the farming responsibilities reserved for men before the war. As with trading, many displaced families have come to rely on women to deliver income and food necessary for survival (Zurikashvili 2000, 8).

Donors have begun to recognize the value of internally displaced women traders as they have moved away from humanitarian assistance toward more development or "self-reliance" programming in recent years. Specifically, many desperately poor women who seek basic loans to begin or expand their trading have turned to donor microcredit programs for financing. The Foundation for International Community Assistance (FINCA), a USAID-funded international NGO, offers innovative group lending. It consists of small low-interest short-term loans starting at \$100 to groups of traders without the need for collateral. Since most displaced persons have very little in the way of valuable possessions that could be put up as collateral, this system has quickly evolved into a critical method for assetless people to receive loans (Georgian banks customarily require collateral worth at least twice the amount of the loan). Recipients receive the money in small groups, usually no larger than seven people. Each member pledges solidarity with the group and promises to pay back as a group.

Though the program was not designed exclusively for women, 75 percent of FINCA's 4,500 clients are women, and well over 70 percent of those women are from displaced families based in the Tbilisi region. The Norwegian Refugee Council has partnered with an indigenous Georgian women's organization, Women in Business, to create a revolving fund of microcredit for women's ventures. They have the aim of eventually transforming the fund into a credit union. In addition to trading, the fund's successfully funded enterprises have included laundry services and bakeries. Generally, FINCA and Norwegian Refugee Council microcredit lending has been successful. Only 1 percent of FINCA's first time 'group-clients' have defaulted on loans. That represents a mere \$ 14,000 of the \$3.1 million invested.

The role of displaced women as leading family income earners has not led to a growing sense of empowerment within the family or IDP communities in general. On the contrary, gender roles have remained clearly delineated. Women are still expected to perform traditional household duties of feeding and caring for their children, even after long and difficult days trading on street corners and in market places. Men spend much of their time in and around the household, as observed by the CDIE team, but they do little to help in chores traditionally reserved for women in Georgian society. As many surveyed women stressed, time is always in critical demand. On an average day, respondents spent seven hours working outside the home and eight caring for their children. This double burden of both caring and providing for their families has left little time for rest and has logically contributed to growing levels of stress diagnosed in displaced women (Zurikashvili 2000, 9)."

Sumbadze & Tarkhan-Mouravi, July 2003, p.31:

"The gender issue is especially important from the viewpoint of employment and income generation. In many cases it is the women who carry the heaviest burden, although frustration and depression among males due to their loss of a function of a breadwinner and provider may cause extreme depression and social exclusion, reflected in increased mortality and morbidity rates. At the same time, elder men are frequently in worse psychological condition also due to feeling of guilt coming from the military failure in conflict time ten years ago when they appeared unable to protect their homes and families."

You can also consult following documents:

Stable Instability of the Displaced People in Western Georgia: a Food-security and Gender Survey after Five Years, Jose Luis Vivero Pol, in: Journal of Refugee Studies, Vol. 12, No. 4, 1999, pp. 349-366 (Oxford) [Not available on the web]

"Cooperative boosts self-respect of displaced Georgian women", USAID, July 2000 [Internet]

See also " *Field surveys reveal psycho-social trauma of displaced women and men (1995-2000)*" [Internal link]

Marital status of IDPs: surveys indicate higher percentage of single parents households (2000-2002)

- 2002 data show a higher percentage of single parent households among IDPs living in collective centers (13.7%) than among the general population (7.1%)
- But divorce rates among IDPs and the rest of the population are similar

Dershem/Gurgenidze/Holtzman, November 2002, p. 30:

"Marital status in IFRC report includes all individuals regardless of age, which makes it a little difficult to compare with other data since marital status in a population is, generally, based on individuals either 15 or 18 years of age or older. However, both IFRC's report and SC's surveys indicate a higher proportion of the general population being married than IDPs living in collective centers. Some local NGOs report that IDPs, especially those in collective centers, refrain from marriage mainly due to the limited living space as well as their inability to economically support a family.

Another difference is that SC's 2002 data shows a higher percentage of single parent households among IDPs living in collective centers (13.7%) than among the general population (7.1%). However, both studies show an almost equal percentage of divorced households (~2%). Thus, the higher percentage of single parent households in collective centers must be due to another reason, perhaps the spouse (most likely the husband) working outside the country. *There is no*

data on the percentage of IDPs households that are comprised of single parents due to the spouse working abroad.

According to the old provision in the law, if an IDP male married non-IDP female, she would get IDP status. However, if an IDP female married non-IDP male he would not get IDP status. The provision has been abolished with the effect of the amendments to the law, nevertheless not regulated."

The International Federation of the Red Cross conducted a survey of the IDP population in 1999. IFRC published this survey in November 1999 under the title "Internally Displaced Persons: A Socio-Economic Survey".

Save the Children conducted a survey on an annual basis from 2000 to 2002. This survey was designed to provide comparable data of IDPs living in collective centres and local households in the regions of Samegrelo and Imereti, Western Georgia. Data collected in 2000 for this survey are available on [Assistance Georgia](#), the website of the humanitarian community in Georgia [Internet]

PROPERTY ISSUES

General

IDP Property rights are very sensitive issues (2006)

ICG, 15 September 2006:

“Property rights are an extremely sensitive issue. There are allegations that Georgian IDPs are being encouraged to sell their pre-war property – through local contacts in Abkhazia – at near market prices. One ethnic Georgian who lived in Sukhumi was able to regain ownership of his home through the courts in 2005 but this caused much debate. In April 2006 the parliament instructed the courts to suspend all right to ownership cases of those living in Abkhazia prior to the war until a law regulating property rights is adopted.

Concerns on this issue motivated President Saakashvili in February 2006 to start registration of all property in Abkhazia abandoned by IDPs. The ministry of refugees and accommodation (MRA) began implementing a 3 million GEL (Georgian Lari) (\$1.69 million) three-year IDP property registration project, “My House”.²⁰⁷ Based on cartography and commercial satellite photos, Georgia plans to inventory all such property in Abkhazia and South Ossetia and issue special certificates to original owners, to protect property and inheritance rights. Applicants will receive certificates, which they can register with the ministry of justice. Some observers consider this exercise a waste of money.”

Law on property restitution to the victims of the South Ossetian conflict (2006-2007)

- Law passed in December 2006, but no signs of implementation as of mid-2007
- According to the Georgian government, the law is expected to go before Georgia's parliament by the end of 2006, and could be operational by mid-2007
- South Ossetia rejected Tbilisi's draft law on restitution (April 06)

EurasiaNet, 17 April 2006:

“The Georgian government is billing property restitution as a key for restoring trust between Tbilisi and the breakaway region of South Ossetia, but a recent roundtable on the topic -- the first ever since the 1992 cease-fire -- has prompted some observers to caution that Georgia's optimism may be premature.

The government's hopes are pinned on a draft law that would spell out the terms for restoring property to the estimated 60,000 Ossetian and Georgian refugees who left their residences in response to the 1991-1992 conflict between Georgia and South Ossetian separatists. Currently, the government is assessing property costs and the number of refugees who might appeal for restitution.[...]

A six-person commission made up of an equal number of representatives of Georgian, South Ossetian and international organizations lies at the center of the proposed program. The commission, Vardzelashvili said, will “legitimize” the restitution program for refugees. [...]

The law is expected to go before Georgia's parliament by the end of 2006, and could be operational by mid-2007, according to Vardzelashvili.

However, several key issues remain undecided, among them the amount of money needed for compensation, the number of refugees forecasted to petition the government for restitution, and whether or not to provide for moral compensation.

The plan is expected to take about nine years to complete, according to Vardzelashvili, who noted that the speed of implementation will depend largely on the amount of financial support the government receives from international organizations.

[...] Oksana Antonenko, director of IISS's Russia and Eurasia Program, stated that the roundtable provided a rare chance for dialogue between Ossetians and the Georgian government. "It was an opportunity for Ossetians to hear firsthand from the Georgian government about this law. There was no information about it before," Antonenko said. "For Georgia, it was an opportunity to understand the mood of the refugees...some were critical, some were constructive."

Nonetheless, she cautioned that although the Georgian government in the past several months has made "huge progress" on the draft property restitution law, "a lot of work" remains.

One key problem is the government's frame of reference, according to Antonenko. The draft law would authorize restitution to those who suffered from the 1991-1992 conflict with South Ossetian separatists, although, according to Antonenko [Oksana Antonenko, director of IISS's Russia and Eurasia Program], most refugees were actually affected by the violence and ethnic tensions that preceded the actual fighting. "The title [of the law] should reflect the Georgian-Ossetian ethnic problem," Antonenko said in a telephone interview from London. "It is an ethnic-bound problem."

Antonenko notes that the government also needs to create a mechanism for refugees to receive compensation in lieu of their actual property, especially if "[i]t is an issue of choice between compensation and restitution," she said. If the government sets a precedent of protecting refugees' civil rights regardless of whether they want to sell their property or move back to Georgia, the plan will be more successful, she noted.

Defining how compensation will be provided for destroyed property or property that cannot now be sold is another critical issue, according to other meeting participants. Vardzelashvili stated that setting the amount of compensation to be offered could be one of the tasks set for the property restitution commission.[...]

But while many applaud the draft law, concerns exist that the current tensions between the Tskhinvali leadership and the Georgian government will preclude any real progress. [...]

The lack of participation by South Ossetia's leadership appear does not appear to discountenance Vardzelashvili. Although such cooperation will be crucial for the plan's full implementation, he noted, the Georgian government can start returning property to those who were forced to leave territory under Tbilisi's control without the participation of any "third parties."

UN Association of Georgia, 20 April 2006:

"Deputy Chairman of the breakaway South Ossetian government Boris Chochiev criticized Tbilisi's draft law on restitution as "one more PR campaign" of the Georgian authorities, which will fail to become a relief for the refugees and internally displaced persons. [...]

Boris Chochiev made these remarks during the talks with Naveed Hussain, representative of the UN High Commissioner for Refugees (UNHCR) to Georgia on April 19 in Tskhinvali, the South Ossetian Press and Information Committee reported. [...]

Chochiev also noted that "the law will not work without settlement of the Georgian-Ossetian relations, confidence building and expression of good will by the Georgian side."

Georgia's draft law on property restitution to the victims of the South Ossetian conflict was developed by the Georgian Justice Ministry and hailed by the Council of Europe's (CoE) Venice Commission - the advisory body for constitutional issues -- on March 19, [2006].

Boris Chochiev, who is also a co-chairman of the Joint Control Commission (JCC), said that a JCC session will be held in late April in Tskhinvali with the participation of the representatives of the UNHCR."

ICG, 7 June 2007:

"The Law on Restitution and Compensation was passed in December 2006 but there are no signs of implementation."

To view the Law of Georgia on Property Restitution and Compensation on the territory of Georgia for the Victims of Conflict in Former South Ossetia District [\[Internet\]](#)

To view the ppt presentation on the draft law on restitution: [\[Internet\]](#)

For more information, see also: Institute for War and Peace Reporting (IWPR), 24 March 2006, Georgia: Property restitution deal for South Ossetia [\[Internet\]](#)

See also:

[Transitions Online \(TOL\)](#), 4 Sep 2007, Georgia: The value of property [\[Internet\]](#)

Thousands of IDPs were evicted or left voluntarily collective centres without adequate alternative (2006-2007)

- The Georgian government's recent strategy to privatize collective centres in Georgia and assist IDPs to acquire private apartments is reported to have both positive and negative effects
- As IDPs do not have property rights to their accommodation in CCs, they have no "right" to compensation per se in law
- Monetary compensation given to the IDPs reportedly not always timely or adequate
- Those who could not buy their own apartment have ended up living with relatives or using the compensation to rent an apartment, or left the country to seek work
- General fear that compensation given will not be adequate and will thus force families to move to regions with less economic opportunity than is found in their current town/city.

CHR, 22 March 2006:

"The Government's recent strategy to privatize collective centres in Georgia and assist IDPs to acquire private apartments aims at providing them with property for use as private housing or business investment in lieu of the accommodation they were forced to abandon. Civil society representatives shared with the Representative their fears that, due to the absence of a comprehensive privatization policy, particularly vulnerable groups among IDPs might lose out in the process and would consequently find themselves in even more precarious situations."

NRC, July 2007:

“At present, a main concern is the escalating privatization process of public buildings, including buildings housing IDPs (CCs). Thousands of IDPs have hitherto moved out from and/or been evicted from CCs, often without alternative adequate housing being provided for.

IDPs legally settled/residing in (privatized) buildings: According to the Georgian Law on IDPs, Article 5(4), “IDPs shall not be expelled from their places of temporary residence unless: (a) a written agreement have been reached with IDPs [or] (b) [adequate alternative accommodation] is allocated...” While the owner of the building has primary responsibility for implementing the guarantees listed in Article 5(4), the Georgian Ministry of Refugees and Accommodation (MRA) has the general responsibility for securing the right of IDPs to a [and at their] place of temporary residence (Law of Georgia on IDPs, Articles 5.2, 5.3, 5.4). The Ministry of Economic Development (MoED) must “ensure that during the process of privatization of those CC...the State guarantees [allocated in] article 5(4) are satisfied and the process of withdrawal of IDPs is realized through the rules considered by the indicated norms” (Decree 157). According to the Georgian Law on Privatization, there is however no requirement to a) notify investors about IDP occupancy of the building; or b) give particular notice to residents of privatization at any stage; or c) accord special rights of participation of IDPs in the privatization process. As IDPs do not have property rights to their accommodation in CCs, they have no “right” to compensation per se in law. Financial allocations therefore, becomes a matter of public policy rather than based on legal requirements. In terms of MRA’s responsibility for allocating adequate alternative accommodation, this obligation is met by making “a good faith offer.” No further regulations or legislation exist neither on compensation, nor on ‘right to adequate alternative’ accommodation.

IDPs illegally residing in (privatized) buildings: The *Law on IDPs*, Article 5(4), specifies that “IDPs shall not be expelled from their places of temporary residence unless: the (c) “space is occupied illegally in violation of the law.” In cases of illegal settlement by IDPs in privatised CCs (i.e. self-settlement or IDPs do not have a formal ‘right of use’ to their space in CCs), eviction, based on the Civil Code, Article 172, requires: (1) Request by the owner to the occupants to end interference with their property rights; (2) The owner may then evict the occupants with police assistance without a court order. Further notice requirements prior to eviction is not required. As the Georgian Law on IDPs, Articles 5(2) and 5(3), states guarantees of temporary residence solely on basis of IDP status,²¹ IDPs may accordingly demand that that their right to temporary residence is ensured.”

UNCT in Georgia, November 2006:

“Alternative solutions to solve accommodation problems have been tried over the last few years on a small scale – provision of individual housing, privatisation of collective centres, housing vouchers, etc. – with various degrees of success and in some cases even worsening the situation of IDPs. A few cases of commercial buy-outs occurred where IDPs were living in buildings with a high commercial value (mainly in Tbilisi and Adjara). IDPs were left to their own devices to find alternative accommodation: the cash compensations provided to IDPs were mostly insufficient to acquire this.”

And on the social impact of privatisation for children and youth:

UNICEF/NRC, October 2006:

“Youth, children and parents were consulted as to their experiences with having undergone the privatization process or their concerns regarding the future privatization of their housing. For the most part, the young IDPs, who had already left their collective centers, perceived the relocation process as having primarily negative effects for them and their family. The one positive effect consistently noted was that their new accommodations tended to be more spacious and in better condition than their rooms in the collective centers. The negative effects which were reported in our discussions included:

As their residence changed, some people lost the economic benefits of their jobs due to the transport costs associated with commuting.

Social networks - composed of neighbors, friends, relatives, employers, health care workers, etc - which were built and maintained over the last 12 or so years, have been fractured or destroyed. These networks, important for psychological and economic support in daily life, will have to be rebuilt in their communities – a task more challenging among those with whom the IDPs can not bond through the common experience of displacement.

As social networks have been disrupted or lost in the relocation process, youth and their parents feel less capable of finding new jobs in their new communities.

Family budgets have been stressed by their new expenses for electricity and water.[...]

Because the monetary compensation given to the IDPs was reportedly not always timely or adequate (at most, around \$7000 per room in Tbilisi), many families could not simply take the money and buy their own apartments, especially in Tbilisi. Those who could not buy their own apartment have ended up living with relatives or using the compensation to rent an apartment. There are also reports of some families choosing to use the money to leave the country and seek work abroad. There is a general fear that the compensation given will not be adequate and will thus force families to move to regions with less economic opportunity than is found in their current town/city. For example, while those IDPs who are being moved from Tbilisi to Tsalka are decreasing their vulnerability due to their housing conditions, they are increasing their socio-economic vulnerability considerably. Many of the respondents who have experienced the privatization process stated that their rights were violated as they were not consulted before and during the process. The perception among some is that it was the needs and demands of investors which were being met at the expense of the IDPs. In interviews people often referred to privatization as a second displacement stating, as one woman in Tbilisi did, 'We became refugees a second time.'[...]

For those who expected their buildings to be privatized, their greatest hope was that finally they might have the chance to own their own home and overcome what they see as one of the primary differences between them and the local population. Some wanted to own their current living space and did not want to move due to the relationships they have built in their community. Others also cited that they should have the right to retain their current dwelling considering the efforts they have put into making their space livable over the last years. Those, whose housing situation was worse, either due to condition or space, welcomed a change – a chance to get out of their miserable situation and obtain their own house elsewhere.[...]

Despite hopes that the privatization might, at least, give them their own homes, many expressed anxiety due to this uncertainty and fear they may be 'forced' to move again, especially if the sum given to them forces them to move far away or to the rural regions. In such cases, young people's social and psychological situation is sure to be disrupted as their networks of friends will become fragmented. Young people also shared their fears of having to change schools or leave school altogether due to high transport costs and the need to assist their families with new expenses in a more economically depressed community."

See also: Eurasianet, 22 August 07, Property Rights Controversy dogs Georgia's Privatization Campaign, by Paul Rimple [[Internet](#)]

IDPs in hotels in Bakhumi, Adjara Province, receive \$7000 from new owner to vacate the hotels (June 2006)

CIVIL.Ge, 29 June 2006:

“A group of Georgian internally displaced persons (IDPs) announced on June 28 that they will denounce Georgian citizenship and go to the unrecognized Abkhaz Republic as a protest against rehousing plan proposed by the Georgian authorities and Kazakh investors, who bought resort hotels on the Adjara’s Black Sea coast.

Internally displaced persons living in the Meskheli hotel in Batumi for more than a decade already received USD 7 000 from the Kazakh TuranAlem Bank. Part of them has vacated the rooms in the hotel, while another part was unhappy with the compensation demanding a better proposal.

Georgian Parliamentary Chairperson Nino Burjanadze said on June 29 while commenting on IDPs protest that “nobody has the right to put even the fairest demands above the country’s interests and state integrity.”

“I can, by no means, justify any internally displaced person, who says that he will go to Abkhazia and receive Abkhaz citizenship. I am very cautious while making statements. I do not want to call these people betrayers, by really it is so,” Burjanadze told reporters.”

NRC, 8 June 2006:

“Unfortunately, for the majority of the 1400 families who are forced to leave the hotels, things are not so simple. Following the announcement of the \$7,000 compensation deal, real estate prices have increased rapidly, and there is now little housing available for that amount, even in the outskirts of the provincial capital, Batumi. The Norwegian Refugee Council (NRC) is helping people who are threatened of eviction in Adjara. The compensation process has been fraught with difficulties. Many have reported to NRC that they were told that if they did not accept the deal, they would be evicted without compensation. Others reported bureaucratic problems and delays with the registration of families who could get compensation.”

IDPs evicted from hotel “Kakheti” In Telavi, eastern Georgia (August 2007)

Prime-News, 15 August 2007:

According to the NGO “Center on human rights” “Policemen bring possessions of refugees [i.e. IDPs] from the building. Sixty families (about 300 people) are left in the open air. They intend to gather in front of the building of local administration of Kakheti region. They state that no one presented any compensation to them.

Temur Anjaparidze, Chief of Kakheti regional Police, gave refugees half an hour to vacate the building.”

Vouchers system in city of Kutaisi gives opportunity to IDPs to acquire housing (2005)

In Georgia’s second largest city, Kutaisi, Urban Institute has helped the process of privatization by offering vouchers to families who were then able to get new housing.

Embassy of the United States in Georgia, 21 October 2005:

“Georgia’s Ministry of Refugees and Accommodation, the City of Kutaisi and the Urban Institute (UI), signed a “Statement of Cooperation” on Thursday, October 21 at the Industrialists’ House in Kutaisi. The document marks the launch of the Housing Purchase Voucher Pilot Program.

The one-year Housing Purchase Voucher Pilot Program is designed to provide approximately 130 internally displaced persons (IDPs) and their families with existing, permanent, safe housing through the marketplace. Vouchers are non-transferable and guaranteed by UI for up to a

specified amount for the purchase of a housing unit. A secondary objective is achieved by a “site-based” beneficiary selection process. To concentrate the impact of the program, collective centers have been pre-selected in one micro-region where there is potential for urban renewal. Approximately 40,000 IDPs are still living in “collective centers” (former public buildings) as a result of Georgia’s civil conflicts in the early 1990’s.”

IDPs purchasing property do not lose their IDP status (2003)

- UN-led legal review confirms that IDPs have the right to purchase property without being deprived of IDP status
- IDPs are not informed properly about their rights and prefer to register purchased property in others' name
- The constitutional court removed restriction to free property purchase by IDPs (November 2003)

OCHA, June 2003, pp. 9-10:

"Regarding the purchase of property by IDPs, there is a perception that if an IDP purchases property (e.g. an apartment), s/he could be deprived of her/his status. This is incorrect. Property rights are not bound up with registration. According to Article 2, Point (3) of the Law of Georgia 'Concerning the Rule of Registration and Identification of Georgian Citizens and Aliens Living in Georgia,' being or not being registered should not restrict constitutional rights and freedoms of citizens of Georgia and aliens living in Georgia, including limiting rights of property or the provision for their implementation, unless envisaged by the election legislation.

Therefore, an IDP has a right to purchase and own property unreservedly on the territory of Georgia (The Constitution of Georgia, Article 21) without being deprived of IDP status.

In everyday life, IDPs often come across persons who, despite working on IDP related legal issues, still are not well informed about existing opportunities for IDPs to purchase real estate and get temporary or permanent registration. Due to such a lack of knowledge among persons concerned, IDPs are compelled to register the purchased property in others' names. This might ultimately result in IDPs losing their property.

Of course, it is desirable to create a proper legislative basis, so that neither IDPs nor other interested parties are unclear about the purchase of property."

[Footnote 1: At the same time, because of decisions of Sakrebulo, IDPs are exempt from paying tax for 0.3-0.7 ha land plots.]

[Footnote 2: Usually, legislative authority, i.e. a right to submit a bill to the Parliament, rests with the President of Georgia, Members of the Parliament of Georgia, any Parliamentary Commission, Parliamentary Faction, and with not less than 20,000 voters (citizens).

[Footnote 3: At present, the State only owns approximately 100 ha of agricultural land.] "

On 7 November 2003, the Constitutional Court of Georgia declared unconstitutional the loss of the national IDP status following the registration of an IDP as resident in Georgia proper. Following this decision, the Parliament of Georgia removed Article 6, para. 2c of the “Law of Georgia on Internally Displaced Persons – Persecuted” providing that “IDP status is lost in case IDP permanently settles and registers in a region of Georgia where reasons listed in article 1 of this law do not exist” (UNDP 28 February 2004)

Land allocation to IDPs: inconsistent implementation (1992-2003)

- Legislation provides for a taxation exemption for IDPs using agricultural land plots allocated to them temporarily but regulation enforcing this provision has not been passed
- In practice, IDPs either pay or do not pay land tax depending upon the regional authorities
- IDPs need additional help to get fertilizers, equipment for cultivating land, transport, fuel
- IDPs were not allowed to participate in land privatization since they were not considered local residents
- Land allocated to IDPs is often of lower quality and far from IDPs' places of residence

OCHA, June 2003, p. 9:

"Existing legislation does not envisage special norms pertaining to the availability of land to IDPs. According to this legislation, rules regulating ownership of land apply equally to all citizens of Georgia, including IDPs. As well as this, the legislation has no provision that would restrict an IDP in terms of (real or movable) property.

In addition, Article 5 of the 'Law of Georgia on Internally Displaced Persons – Persecuted' envisages an exemption for IDPs who have agricultural land plots for temporary use. In particular, according to Point (h) of this article, agricultural land plots allocated to IDPs for their temporary use in accordance with existing norms for IDPs, are exempt from land tax. However, an amendment in the Tax Code of Georgia incorporating this has not been passed. This means that, in fact, IDPs are not exempt from paying the tax.[1]. Thus, the 'Law of Georgia on Internally Displaced Persons – Persecuted', which exempts IDPs from paying the land tax, comes into collision with the Tax Code, which has not been correspondingly amended [2].

In practice, IDPs either pay or do not pay land tax depending upon the regional authorities. For example, the Khobi district administration refused to allocate land plots for the temporary use of IDPs registered in Senaki. However, consent was given after IDPs offered to pay. In general, the majority of local authorities are aware of IDPs' rights to have land plots for temporary use and try to assist those IDPs who express a desire to cultivate land. In their efforts to have land plots for cultivation, IDPs primarily face problems connected with the lack of land where they temporarily reside (as in Jvari), or natural conditions are not favourable for land cultivation (as in Borjomi), or the land allocated to them is of poor quality (as in Imereti region, Samegrelo and Bolnisi). It should be noted that the Land Reform in Georgia that enabled the population of Georgia to privatise land (however, IDPs failed to enjoy this right), was completed in 1994 [Footnote 3: At present, the State only owns approximately 100 ha of agricultural land.]. IDPs were late in addressing local authorities for allocating land plots to them. As a result, IDPs were in most cases given remote and poor quality land plots (as in Tskaltubo, Didi Jikhaisi and other regions). In such circumstances, IDPs have to fence pastures (as in Menji Resort case). This, in its turn, entails conflicts with locals. At meetings held in Samegrelo, Imereti and Bolnisi, IDPs repeatedly stated that if they are provided with technical (e.g. fertilizers, equipment for cultivating land, transport, fuel) and financial assistance, they are ready to cultivate even remote land plots. However, at Imereti meetings, IDPs reiterated that remote land plots need additional care in terms of security, because there are cases when the crop is stolen and/or the land plots are destroyed.

According to the data of the Council of Ministers of the Autonomous Republic of Abkhazia, 12,000 IDP families were granted 4,000 ha of land for free on a temporary ownership basis on the territory of Georgia.

As for the land lease, neither the 'Law of Georgia on Internally Displaced Persons – Persecuted', nor the Tax Code envisages provisions for preferential treatment of IDPs."
Dershem/Gurgenidze/Holtzman, November 2002, pp. 13-14:

"Background - The privatization of land, and agricultural reform, started in early 1992, with a Presidential decree, and should have been completed by 1 January 1999. The procedures and time schedules for the privatization process varied from village to village depending on the size, type of land (arable, perennials, pastures), allotment criteria, order of distribution. Privatization did not include certain state-owned land that cannot be sold to private persons, but can be rented or leased.[14] Individuals must obtain an ownership certificate issued by the local authorities at a cost of approximately \$19 USD per hectare. However, IDPs were not allowed to participate in land privatization process since they were not considered local residents. Until IDPs were given the right to land in 1996 (discussed below), they only had the right to rent or lease the land. No laws were in place that exempted IDPs from paying land tax. [15]

Even though IDPs could not participate in the land privatization process, according to the Georgian Law of 1996, [16] IDPs could be allocated plots of land with the right of temporary use as long as they did not construct any structures. Local authorities (i.e., Village Mayors) were to identify land that could be used and are responsible for ensuring use of it if IDPs request so. If IDPs stop using the land temporarily allocated to them for some reason (e.g., relocation to another place), the land is transferred back to the local authorities.[17]

Anecdotal evidence suggests several problems have arisen with the allocation of land to IDPs. First, the highest quality land was distributed in the privatization process and, subsequently, the land that can be allocated to IDPs is of poor quality. [18] Second, since IDPs cannot make build or permanently alter the land, it is difficult to produce sufficient quantities of food for consumption or sales. Third, local officials request IDPs to pay 'extra expenses' to receive an allocation of land. Fourth, when IDPs do receive an allocation of land it is all too often far from their place of residence."

[Footnote 14: "Whose Land?" – Overview in land reform and privatization process in Western Georgia Agriculture and its Implications for Displaced People, Accion contra el Hambre – Georgia, Zugdidi, August 1998

[Footnote 15: Annual land tax depending on soil quality ranges between 11,2 and 21 USD per hectare, with an average of 15,75 USD per hectare for Zugdidi region. ACH survey, August 1998.

[Footnote 16: Article 5 of the Law of Georgia on "Forcibly Displaced Persons – Persecuted," of June 28 1996.]

[Footnote 17: Report on the Guiding Principles on Internal Displacement and the Law of Georgia, 2002.]

[Footnote 18: Whose Land? Overview of land reform and privatization in west Georgia, Accion contra el Hambre, 1998; The Working Group on Enhancing Capacities for Self-Sufficiency: Report of the Sub-Group on Agriculture, IRC, 1998; Monitoring of Legal and Actual Status of Internally Displaced Persons in Georgia, Georgian Young Lawyers Association, 1999.]

Privatisation in South Ossetia: rights of IDPs at risk (2002)

- Authorities in South Ossetia have agreed not to privatize apartments belonging to IDPs
- It is unlikely that IDPs from South Ossetia have been able to participate in the process of privatisation

Dershem/Gurgenidze/Holtzman, November 2002, p. 24:

"[S]ome IDPs are living in private accommodations. From 1991 to 1992, based on a government resolution, privatization of socially owned apartments was initiated. To date, approximately 90% of apartments have been privatized in Georgia (OSCE). In SC's nationwide survey in 2002, 92.5% of urban families and 97.6% of rural families owned their apartments or houses.

The privatization of housing occurred also in South Ossetia. (Not really. It is believed that privatization did not occur in Abkhazeti). An OSCE report indicates that through their intervention of OSCE, authorities agreed not to privatize apartments belonging to IDPs. **However, data available to us does not indicate percentage of apartments that have been privatized by either IDPs themselves or others.** Since IDPs did not reside in their homes in South Ossetia when privatization started it is unlikely that they participated in the process."

Properties left behind: uncertainty on the restitution process (2002-2003)

- IDPs have often lost all documents proving their property rights in Abkhazia
- Occupation of IDPs' properties has been legalized according to Housing Code still in force in Abkhazia
- IDPs have also sold their property but still lack official documents for the sale
- There are no data on houses which are still intact or unoccupied
- Draft laws on property restitution, have been prepared and submitted to the Georgian government but the issue remains unsolved
- While Georgian courts restitute property to Ossets in Georgia, this is not the case in South Ossetia
- Georgia made reservation to property rights enshrined in European Convention on Human Rights as a result of Abkhazia' secessions
- Some IDPs continue to use their land on a seasonal basis, especially in the Gali region and in South Ossetia
- UNHCR reported reinstatement of property rights by Georgian courts

Dershem/Gurgenidze/Holtzman, November 2002, pp. 21-22:

"IDPs left their houses behind when they fled. There are four basic scenarios of what happened with their housing after displacement.

a. Some IDPs fled so quickly that they did not even have time to take essential documents or these documents were burnt or lost. The old Soviet passport contained the 'propiska' stamp documenting their residency. Another important document proving their right to occupancy was the one titled, 'Forma #1.' To complicate this situation, some archives have been destroyed making it even more difficult to reconstruct residency. A number of these houses were either totally destroyed or arbitrarily occupied by other persons who later legalized their stay according to the Housing Code.

b. Some IDPs sold their property for very low price. And, in many cases there are no legal documents showing the sale of the property.

c. Over time, some second-occupants have sold their legalized apartments to other people.

d. Finally, a number of houses remain undestroyed and unoccupied. *However, there is no statistical data available on this issue.*

Draft laws, addressing the issue of property restitution, have been prepared and submitted to the Georgian government for further adoption. However, the issue still remains unsolved. NGOs report facts of court cases (in Georgia, excluding Abkhazia and South Ossetia) when property was returned to its owner applying the Civil Code. It is also mentioned that while Georgian courts restitute property to Ossets in Georgia, this is not the case in South Ossetia.

Ratification of the European Convention on Human Rights and Fundamental Freedoms was a pre-condition for Georgia to become a member of the Council of Europe. Georgia ratified the Convention with 8 reservations (2 of them particularly important for IDPs). One of them – territorial reservation restricted its application to Abkhazia and Tskhinvali region before restoration of territorial integrity of Georgia.

Second reservation is as follows: 'not to apply article 1 [38] of the Protocol 1 to persons who were granted or will be granted status of persecuted in accordance with the Georgian Law on 'Forcibly Displaced Persons – Persecuted' until circumstances based on which they were granted the status cease to exist – until restoration of territorial integrity of Georgia. According to the given law, the state undertakes obligation to ensure property rights of persecuted to ownership existing at their permanent places of residency after elimination of reasons listed in paragraph 1, article 1 of this law.'

NGO Georgian Young Lawyers Association (GYLA) intends to appeal in the Constitutional Court on two grounds: reservations aims at restricting particular social group, thus being discriminative and against to the Georgian Constitution and impairing property right protected by the Constitution and other laws of Georgia.

IFRC reported that almost one-half of the IDP's houses in Abkhazia are reportedly destroyed and 12% needing major repairs. Also, one out of every five IDPs does not know the condition of his/her house. 'IDPs reported that their houses were either completely destroyed (30%), only walls remain (12%), damaged but repairable (11%), normal (22%), and 26% do not know.' SC found similar findings in 2000; 21.3% did not know the condition of their house, with 4.7% reporting it in good condition, 4.8% saying it needed minor repairs, 12.1% mentioning it needed major repairs, and 56.1% reporting that it was not repairable (dilapidated). Thus, IDPs living in collective centers have vulnerable shelter conditions presently and when, if, they return.

IFRC stated that some IDPs continue to use their land. Most are IDPs from the Gali region and from South Ossetia. SC's survey of IDPs in collective center in west Georgian in 2000, reported that that '2.3% of IDPs confirmed returning to Abkhazeti to use land for food production. These IDPs reported returning about once a month, remaining about 8 weeks and using, on average, about 0.2 hectares.

[...]

UNHCR reports that IDPs from Gali region bordering Zugdidi cross Enguri river (dividing Gali and Zugdidi) 'to work their land' but return back. [39] Other sources suggest that border crossing is mainly seasonal – when land needs to be cultivated or harvest (hassle nut, citrus) obtained."

[Footnote 38: Article 1 of the protocol determines that "Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the rights of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties."]

[Footnote 39: Prospects for the Return of Internally Displaced Persons and Refugees to Abkhazia, a UNHCR Review of the Situation in Georgia, May 1997.]

Reinstatement of property rights of persons displaced by the Georgian Osset conflict (2000)

UNHCR, June 2001, p. 358:

"In an attempt to reinstate property ownership, 29 cases passed through the courts, which, without exception, ruled in favour of the original owner. These few court cases went a long way

towards removing a notable obstacle to return. After the court rulings, UNHCR found temporary shelter for the secondary occupier."

For more information on legal development regarding the right to restitution please consult the following publications (not available on Internet):

Report on the Guiding Principles on Internal Displacement and the Law of Georgia, by Giorgi Chkeidze and Konstantin Korkelia, in: The Guiding Principles on Internal Displacement and the Law of the South Caucasus – Georgia, Armenia, Azerbaijan, Studies in Transnational Legal Policy, No. 34, The American Society on International Law, The Brookings Institution SAIS Project on Internal Displacement, 2003

Housing and Property Restitution in the Republic of Georgia, by Zurab Burduli and Anna Dolidze, in: Returning Home: Housing and Property Restitution Rights of Refugees and Displaced Persons, edited by Scott Leckie, Transnational Publishers, 2003

International study proposes concrete legal and political measures to resolve the housing and property issue in Georgia (1998)

- Proposals include the issuance of a Presidential Decree on the Right to Return, the adoption of a Restitution Law and the creation of a Housing and Property Claims Commission

Scott Leckie, 7 July 1998, sect. "Executive Summary":

"[An independent 1998 study commissioned by UNHCR] recommends that a multi-pronged strategy, grounded firmly in the rule of law, will stand the best chance of ensuring full respect for the housing rights and property rights of all affected persons and thus facilitate the large-scale exercise of the right to return. The study emphasizes that both the rights of refugees and IDPs and the rights of the secondary occupants must be fully secured throughout the process of return and beyond, and that the housing rights of all affected persons are guaranteed such that no person becomes homeless in the process.

It is recommended that several key measures be adopted to provide the legal framework required to redress past injustices, increase confidence sufficiently to allow large-scale return and to build a solid basis for national reconstruction and reconciliation. These measures include:

[...]

1. ***The Presidential Decree on the Right to Return*** should officially proclaim the right of refugees and IDPs to voluntarily return to their original homes, in an environment of equality, full protection of human rights and clear guarantees of safety and security. The Decree should form the first part of the return process. It should be declaratory in nature, forming a consolidated official pronouncement recognizing the basic nature of the rights associated with return. The decree should reiterate past pronouncements and instill confidence in the returnees that they will be afforded the full spectrum of rights enjoyed throughout Georgian society, including and to return to their original homes, the right to freedom of movement and to choose one's residence and the right to register in their areas of origin.

2. The second element of a comprehensive return package envisages the adoption of a ***Housing and Property Restitution Law*** clearly and precisely outlining the legal position of affected refugees, IDPs and secondary occupants with respect to all aspects of their housing and property rights. This study recommends that the new legislation ensure the right of refugees and IDPs to the restitution of their original homes should they wish to reclaim them. If a returnee does wish to return to their original home, in accordance with the law and a subsequent finding by the envisaged housing and property claims commission, the law should require the State to facilitate such return and to fully ensure the full protection of the housing rights of secondary occupants.

In cases where returnees do not wish to return to their original homes, the law should oblige the State to secure adequate housing for them in such manner that no detriment is suffered *vis-a-vis* their original housing situation, and which ensures the right of refugees and IDPs (should they choose to invoke it) to the ownership of a dwelling; a right they would have enjoyed had they not been forced by circumstances beyond their control to flee.

The law should enable all affected persons to present formal claims to the HPCC for adjudication within a limited time period.

This study argues that cash compensation should be generally avoided except in instances concerning compensation for past human rights violations or lost movable property. If compensation is to be paid at all, the law should delineate when, in what form, to whom and in what manner compensation should be provided.

Any financial compensation which is provided should come from the State budget of Georgia and should not be provided by the international community. Funds could, however, be allocated by the international community to assist in the establishment of the HPCC or towards the overall implementation of the new law.

The new law should also adequately address the reconstruction and rehabilitation of damaged housing in rural areas and develop the necessary mechanisms required to ensure that refugees and IDPs returning to rural areas will have access to housing which complies with international standards of adequacy. Equally, the law should ensure the existence of adequate safeguards to protect against homelessness and other possible housing rights violations.

3. Finally, this paper recommends, within the framework of the housing and property restitution law, that a fully independent and impartial, three-person ***Housing and Property Claims Commission (HPCC)*** be established to examine any housing or property claims put forth by refugees, IDPs or secondary occupants regarding these questions. The HPCC should be vested with the powers required to determine the housing and property rights of the claimants and thus guarantee every returnee the right to an effective remedy and the right to have his or her case heard on an individual basis.

The commission will fill a significant procedural and administrative gap and prevent the potentially serious overloading of the judicial system with related complaints which could, in turn, substantially delay the overall return process. The HPCC (which should be overseen and monitored by UNHCR and the OSCE) will be required by law to protect all persons against homelessness or other detriment with respect to their housing and living conditions. Decisions of the HPCC should be legally binding. The right to appeal any decision of the HPCC to the Supreme Court of Georgia should also be guaranteed.

The implementation of these recommendations are designed to facilitate the large-scale return of all remaining refugees and IDPs linked to the Georgian-South Ossetian conflict and thus assist in increasing regional stability and the further emergence and strengthening of the rule of law in Georgia. Although the specific modalities of the housing and property situation in Georgia are, of course, unique, each of the recommendations made in this study are consistent with international human rights law, including the European Convention on Human Rights and Fundamental Freedoms and the European Social Charter, and have been or are being successfully implemented by other countries confronting similar challenges and possessing similar legal obligations."

Discriminatory implementation of housing codes could impede IDP return to Abkhazia (1999)

- IDPs absent for more than six months sometimes lose their right to housing in Abkhazia
- Minorities are particularly at risk of violations of their rights to housing, and frequently suffer harassment when trying to ensure that right
- A solution to the housing issue considered fundamental for safe and lasting return to take place

Samuel, 1999, p.5-6:

"Both inside the security and restricted weapons zones and in the rest of Abkhazia, abuses of property rights continue to be a cause for concern. This will become more acute in a wide-scale return to Abkhazia; however, such abuses are currently pervasive in many larger villages in the territory. The housing code of the Georgian Soviet Socialist Republic from 1983 is still in effect in Abkhazia. The *de facto* parliament of Abkhazia has only partially updated this legislation to reflect the current situation, passing a "Law on Rental" in September 1994 and "Regulations on the Means to Allot Residential and Immovable Property from the State Housing Fund to Persons and on the Payment of Expenditures for its Maintenance and Repairs" in February 1997. The housing code generally covers all state-owned buildings (including kolkhozes and "builders' cooperatives") and private property. All citizens are guaranteed the right to housing in article 2.1 of the 1997 Regulations. Article 69 of the 1983 Housing Code prohibits absences of more than six months – with certain exceptions such as working abroad or illness – unless extended by a court. Article 2.5 of the supplementary February 1997 Regulations, states that only persons constantly residing on the territory of Abkhazia have the right to acquire state housing and that exceptions to this can only be decided by the *de facto* Cabinet of Ministers. [Footnote: The term in Russian xxxxxx xxxxxx can be translated either as permanently, constantly or continuously residing, each of which has a different legal meaning in its application.] The application of this article is not further defined. Thus, persons who fled Abkhazia during the conflict, or those who have spent lengthy periods with relatives in Georgia proper or Russia, for example, may no longer have the right to continue living in their apartment, nor are they guaranteed housing elsewhere if their apartment has been reassigned.

The imprecise nature of the term constantly residing leads to discriminatory implementation in practice. HROAG is aware of 11 cases in which members of minority groups such as Russians, Georgians and Greeks, have complained that their apartment was illegally given to an Abkhaz family by the city housing authorities – even as they are residing within it. HROAG has received several complaints that the defendants (and sometimes even their lawyers) are harassed by the judge presiding the case or the prosecutors. One woman alleged that she was shot at in her apartment after a positive decision by the judge. The human rights office is aware of three positive decisions in the Sukhumi city court and Gagra administration; however, enforcement has been slow. While the complaints brought before the UN office cannot be considered exhaustive and completely representative, they do indicate a certain trend in which the laws are applied to the detriment of minorities. This may be in part due to the pre-eminence of *de facto* authorities, which negatively affects minorities by marginalizing their role and position. Moreover, there have been five reports of houses with Georgian/Mingrelian residents, being occupied by Abkhaz militia groups or *de facto* Abkhaz customs groups in the villages of Chlou, Dikhazurga, Gagra, Gali and Gumurishi. The owner's reception towards the new inhabitants is mixed; nonetheless, there is no legal basis for this occupation.[...]

[...] in order to ensure a safe and lasting return to both the Gali region and Abkhazia as a whole, housing issues must be resolved. Minorities are particularly at risk of violations to their rights to housing, and frequently suffer harassment when trying to ensure their right to housing."

See also the 20 March 2002 resolution of the Parliament of Georgia "[On the unlawful misappropriation of state property and refugees and internally displaced persons' private property in Abkhazia](#)" [Internet]

PATTERNS OF RETURN AND RESETTLEMENT

Return prospects

Many Georgian IDPs still have the hope of returning one day to their homes (2004)

UNDP, 2004:

“For the last eleven years the nation of Georgia has faced the serious problem of a large population of Internally Displaced Persons (IDPs). Over half of the 250,000 men, women and children, forced into exile during the 1991-3 conflict still live in cramped 'temporary' accommodation. Trapped in overcrowded rooms in Georgia's former tourist hotels, sanatoriums, schools, kindergartens and shops, many exist in the hope of returning to their homes. However, due to the ongoing political stalemate the majority of these temporary shelters have turned into permanent residences. With the passing years a return home has seemed more and more of a distant dream. As a result frustration has been building up within the IDPs. They feel themselves living nowhere; neither properly located in their adopted communities, nor with any realistic hope of a return to their former lives.”

According to the UN Special Representative on IDPs, Deng, 10 June 2003:

“A defining feature of internal displacement in this region is that, unlike in many other situations where internally displaced populations are perceived by the authorities as associated with "the enemy" and targeted on that basis, in the South Caucasus, ethnic and external factors foster a general attitude of sympathy and solidarity with the displaced. Even so, there exist serious concerns about respect for the rights of the internally displaced, especially as regards facilitating solutions to their plight.[...]

In particular, the Government's pursuit of the goal of return, which in Georgia, as in Azerbaijan, is also shared by the overwhelming majority of the displaced, has for many years been so absolute as to deny displaced persons the ability to enjoy their full rights as citizens and lead productive lives in the interim.”

Attitudes towards return to Abkhazia (2006-2007)

- Georgia has reportedly done little to support spontaneous IDP return to Gali
- Very cautious attitude of de facto authorities regarding a possible return of IDPs
- According to the Foreign Minister of breakaway Abkhazia, the return to Georgian IDPs to the entire territory of Abkhazia was impossible, as it could lead to new bloodshed

Georgian views:

ICG, 18 January 2007:

“Other than pressing for UN police and a human rights office, Georgia has done little to support spontaneous IDP return to Gali. Some senior figures are categorically against return until Gali is under

Tbilisi's control and have been critical of international help for returnees. However, the UNHCR has suggested that 'in the absence of a full political settlement organised return is not foreseen. Future returns may best continue in the spontaneous mode'. It calls on the Georgian government

to facilitate efforts by international organisations to meet returnees' basic humanitarian needs. The Abkhaz say Georgia is reluctant to assist because 'Georgia does not want any return of refugees until there is a resolution of the jurisdiction problem'."

Abkhaz views:

CHR, 22 March 2006:

"The de facto Abkhaz authorities unilaterally declared their acceptance of the return of refugees and IDPs to the Gali district in March 1999. In his dialogue with a leading de facto official, the Representative [the UN Representative on the human rights of IDPs] was however informed that return in safety and dignity to areas beyond the Gali district could not be ensured for Georgian returnees. In October 2005, the Abkhaz de facto Parliament passed a "Law of the Republic of Abkhazia on Citizenship of the Republic of Abkhazia", which defines the group of persons eligible to apply for Abkhaz citizenship, regulates the procedure of its acquisition and enumerates grounds on which applications may be rejected. Although this "law", since it has been promulgated by internationally unrecognized authorities, would not have any international legal consequences, it nevertheless has a direct impact on individuals in the region of Abkhazia, particularly Georgian returnees."

UN Association of Georgia, 10 January 2006:

"Georgians living in Gali district of Abkhazia will face no problems even if they refuse to accept Abkhaz passports, Foreign Minister of breakaway Abkhazia Sergey Shamba said in an interview with Russian news agency Regnum on January 10.

'Simply they will be deprived of right to vote if they refuse to take Abkhaz passports, as it is necessary to present ID during voting, in our case this [ID] is our internal passport,' Shamba said.

He also said that situation has "improved a lot" after Georgian guerrilla groups were disbanded there.

"But in recent months escalation of tension is observed in Gali and we think that this is related with the Georgian side's demand to internationalize peacekeeping forces in the conflict zone and to deploy UN civil police [in Gali district]," Shamba said.

He also commented on possible return of Georgian internally displaced persons back to Abkhazia and said that that the Abkhaz side is very cautious in this regard.

'For Georgia this is not only a humanitarian issue, this problem has a political aspect for Tbilisi. The same is for us, because it is clear that demographic changes will trigger political changes as well,' he said.

'In the current situation return of refugees in other parts of Abkhazia [apart of Gali district] will trigger renewal of violence, ethnic conflicts and consequently to Georgian-Abkhaz war,' Shamba added."

Civil Georgia, 17 February 2007:

"In the current situation, the return of Georgian internally displaced persons to the entire territory of Abkhazia is impossible as "it could lead to new bloodshed and consequently to a new Georgian-Abkhaz war," Sergey Bagapsh, foreign minister of breakaway Abkhazia, said at a news conference in Moscow on February 17.

He said that the Georgian side's policy towards Abkhazia does not contribute to confidence-building between the Georgians and Abkhazia, which makes no favorable conditions for the Georgian IDPs to return.

But he also said that the Abkhaz side does not oppose the return of Georgians to the Gali District of breakaway region, which is already populated predominantly by ethnic Georgians.

"The return of refugees to other regions is impossible now," Shamba said.

Return hampered by widespread poverty in South Ossetia (2003-2004)

- Since 1989, the collapse of the Soviet Union, the civil war, and earthquake contributed to a grim economic climate in the area
- International aid has decreased in recent years, while the humanitarian situation slightly deteriorated
- Local authorities objectively cannot provide more than a minimal and irregular assistance to their own needy population
- Unprecedented level of crime and related manifestations, such as increased drug addiction and suicide rates, are a huge concern
- Lack of potential for improvement in the immediate future explains the low number of returnees into South Ossetia, even for the Ossetian ethnic group
- From 2000 to 2004 return on all sides virtually came to a halt

OCHA, 15 January 2004:

"During the time of the Soviet Union, the region was a relatively prosperous one. Its mines, factories, and farms supplied raw materials to markets across the Soviet Union, and the mountainous regions of Java were dotted with resorts and tourist bases. Since 1989, however, the collapse of the Soviet Union, compounded with effects of the ensuing civil war and the powerful earthquake that hit the region, all contributed to a grim economic climate. Poverty has become widespread across the region and is growing.

The humanitarian situation in South Ossetia cannot be described as critical, but remains precarious and certainly requires more attention by international community. The Georgian-South Ossetian peace-process is practically in a deadlock, and the conflict in South Ossetia is at times described as a forgotten one. International aid has markedly decreased in recent years, while the humanitarian situation has actually slightly deteriorated, and some basic rehabilitation needs have grown. Local authorities have no external support to their budget for social security programmes and objectively cannot provide more than a minimal and irregular assistance to their own needy population. There is a widely-perceived need for continuing, and possibly increasing humanitarian aid, especially in the medical sector, as well as basic infrastructure rehabilitation in the fields of electricity, water, sanitation, etc.

[...]

A large majority of South Ossetia's population lives on extremely low salaries or pensions. Some are involved in petty trade or the 'transit' goods trade. Some have obtained the right of Russian pensions, which are considerably higher than the South Ossetian ones. Many working age people are economic migrants and increasingly emigrants to Russia, who then provide remittances that support their relatives. The majority of the population, however, survives on subsistence agriculture. Due to the gloomy overall socio-economic situation, unprecedented level of crime and related manifestations, such as increased drug addiction and suicide rates, have become a huge concern to all. Furthermore, South Ossetia faces demographic erosion as ever larger number of working-age people migrate, or rather emigrate, primarily to the Russian Federation, in search of better employment and income opportunities. Lack of income and employment opportunities is the central issue in addressing the dismal socio-economic situation in the region.

In the absence of adequate programmes to stimulate the economy, the local population, especially the most vulnerable groups, such as single elderly without family support, will remain

dependent on humanitarian assistance, for which funding has been low and decreasing. It should be highlighted that the current situation is not conducive to potential returnees. The lack of potential for improvement in the immediate future is a crucial factor in the low number of returnees into South Ossetia, even for the Ossetian ethnic group. Due to the low level of return, UNHCR and its implementing partners have scaled down their presence in the region."

ICG, 26 November 2004, p.26:

"In a confidence building step in summer 2004, however, Georgia unilaterally pledged to support the return of ethnic Ossetians displaced during the 1990-1992 conflict. In August President Saakashvili signed a decree allocating 350,000 lari (\$197,700) to assist 25 Ossetian families to return to pre-war homes. Returnee residences were to be rehabilitated and furnished, and seed money provided. Deputy State Minister for Regional Issues Zenta Bestaeva, until recently an Ossetian refugee herself, was made responsible. The first five families returned in August 2004. The return of the other twenty had been expected in September but has been delayed. According to Bestaeva many more Ossetians originally from Georgia and now living in North Ossetia are interested in return. What reluctance they feel is linked not to fear or ethnic hatred but lack of housing and infrastructure. In many rural areas the homes Ossetians left fourteen years ago need rebuilding. Education facilities are derelict in previously predominantly Ossetian ethnic settlements. Parents are concerned there are no schools, and no Russian language instruction would be offered. Ossetians realise it would be difficult to find jobs -- the firms they had worked in were closed."

ICG, 26 November 2004, pp.5-6:

"The returns that did occur after 1992 tended to strengthen the dominance of majority populations rather than promote multi-ethnic co-existence. Few minorities chose to regain pre-war residences. UNHCR assisted return of 278 ethnic Georgian families to South Ossetia and 86 Ossetian families to Georgia. A Georgian engineer who worked on the reconstruction of homes for returnees told Crisis Group (ICG) these figures were exaggerated because very few families came back permanently -- the majority sold their rebuilt property. "We did not achieve the expected results", he claimed. Allegedly South Ossetian authorities encouraged Ossetian refugees to settle in South Ossetia rather than in Georgia proper. In turn, Georgian local authorities did little to assist returning Ossetians regain possession of their property. From 2000 to 2004 return on all sides virtually came to a halt [according to UNCHR, "Global Shelter Assistance in South Ossetia/ Georgia Proper", 1997-2004]."

UN supports confidence building measures to improve security in return areas (2003)

- The UN Security Council approved the addition of a small civilian component to the UNOMIG mission to improve security conditions in return areas
- The deployment of this component in areas under Abkhaz control has been postponed following Abkhaz opposition
- UNOMIG civilian police have started preparations for patrolling in the Zugdidi sector, in conjunction with UNOMIG military observers
- Daily UNOMIG ground patrols of the Gali and Zugdidi sectors continued
- Patrols in the Kodori Valley remained suspended in the wake of the kidnapping of four UNOMIG personnel on 5 June 2003
- UNOMIG continued its efforts at the operational level to build trust between the sides and reduce the potential for misunderstandings

OCHA, 2 September 2003:

"The UN Security Council extended the mandate of the United Nations Observer Mission in Georgia (UNOMIG) until 31 January 2004, subject to a review of this mandate by the Council in the event of changes in the mandate of the Collective Peacekeeping Forces of the Commonwealth of Independent States (CIS peacekeeping force).

Unanimously adopted resolution 1494, the Council also endorsed the Secretary-General's recommendation, contained in his report of 21 July (S/2003/751), to add a civilian component of 20 officers to the Mission to strengthen its capacity to carry out its mandate and, in particular, to contribute to the creation of conditions conducive to the safe and dignified return of internally displaced persons and refugees."

UNSG, 14 January 2004, para. 25-26:

"In keeping with the Security Council's decision to strengthen the capacity of UNOMIG to carry out its mandate by adding a civilian police component to the Mission, the first 10 officers, including the senior police adviser and his chief of staff, were deployed in November and December 2003. The deployment of the remaining members of the component, however, has been temporarily delayed. This followed advice from the de facto Abkhaz Government that the de facto Parliament had responded negatively to the establishment of a UNOMIG police presence on Abkhaz-controlled territory, especially in the Gali district, and that as a consequence it would be necessary to delay the deployment of the remaining officers.

My Special Representative has been working closely with the Abkhaz authorities to agree on a formula for the operation of those officers already in place in Abkhazia, Georgia, prior to the full deployment of the remaining personnel. In the meantime, UNOMIG civilian police have held introductory meetings with members of the Georgian Government and have begun a preliminary assessment of the most immediate training and equipment needs in the Zugdidi sector. They have also started preparations for patrolling in the Zugdidi sector, in conjunction with UNOMIG military observers. The selection of 15 Zugdidi district police officers for participating in training at the OSCE-led Kosovo Police Service School is also under way."

UNSC, 14 January 2004, paras. 15-21:

"Daily UNOMIG ground patrols of the Gali and Zugdidi sectors continued throughout the period under review. No violations of the 1994 Moscow Agreement were recorded.

Patrols in the Kodori Valley remained suspended in the wake of the kidnapping of four UNOMIG personnel on 5 June 2003 (see S/2003/1019, para. 18). Following the completion of UNOMIG's inquiry into the hostage incident, which recommended additional security measures for the safety and security of the military observers, the Mission has begun working with the Georgian and Abkhaz sides, as well as with the Commonwealth of Independent States (CIS) peacekeeping force, to formulate an appropriate operational plan for the resumption of patrolling in the spring of 2004. Patrols will resume only when more robust security measures have been finalized and implemented, and following a demonstrable commitment by both sides, in particular the Georgian authorities, to ensure the security of UNOMIG staff. Helicopter patrols also remain suspended due to ongoing concerns about security; administrative flights have continued along specially designated routes over the Black Sea.

UNOMIG continued its efforts at the operational level to build trust between the sides and reduce the potential for misunderstandings. The UNOMIG-chaired joint fact-finding group, which includes the active participation of the sides and the peacekeeping force, continued to investigate violent incidents. The working group of the joint fact-finding group moved from Sukhumi to Gali to reduce its response time; most incidents continue to take place in the Gali sector. Eight cases are currently under investigations.

The weekly quadripartite meetings have continued to provide a constructive platform for both sides to discuss security-related matters in the presence of the Chief Military Observer and senior staff of the CIS peacekeeping force. Issues of concern during the reporting period included Georgian objections to Abkhaz 'border guards' and 'customs posts', and Abkhaz concerns about the activities of illegal armed groups operating across the ceasefire line.

[...]

UNOMIG worked to establish additional mechanisms to build confidence between the sides in the Kodori Valley. In this connection, it facilitated the establishment of a direct telephone link between the Abkhaz authorities and the senior Georgian representative in the upper Kodori Valley. It has already been used by the sides to brief each other on the extent of the damage following the October floods and subsequent winter snows; it has also been instrumental in facilitating humanitarian assistance to members of the local community.

[...]

It will recalled that, on 8 October 2003, the sides, UNOMIG and the CIS peacekeeping force signed in Gali a protocol under the terms of which both parties agreed to cooperate more closely with each other in the fight against crime and with UNOMIG to improve the prevailing security climate (see S/2003/1019, para. 10). The implementation of this protocol is monitored at the weekly quadripartite meetings. As a further step to improve security, UNOMIG increased its patrolling, with the redeployment to the Gali sector of six additional observers from other parts of the mission area."

UNSG, 9 April 2003, para. 29:

"Facilitating the return of internally displaced persons and refugees to their homes in safe and secure conditions remains a core aspiration of the United Nations, even though no additional progress has been made in the implementation of the 1994 quadripartite agreement on voluntary return of refugees and displaced persons (see/1994/397, annex II). The recent agreement between the Georgian and Russian sides [...] to proceed with the re-establishment of the railway in parallel with the repatriation of refugees and internally displaced persons should open the door to progress on this issue. The United Nations remains committed to the creation of conditions conducive to return, in accordance with UNOMIG's mandate and the recommendations of the Joint Assessment Mission to the Gali district of November 2000. Implementation of the measures proposed by the security assessment missions, aimed at creating a safer environment in the area, will also be an important factor in facilitating the process of the return of refugees and internally displaced persons."

Obstacles to return to Abkhazia (2003-2006)

- Factors impeding return include continuing criminality, poor law enforcement, unwillingness to live under Abkhaz de facto rule
- Living conditions of returnees in Gali remain extremely poor (2006)
- More than half of the houses left behind by IDPs in Abkhazia are not usable any more
- Occupancy of houses is named as a main reason of not returning of many IDPs from South Ossetia

ICG, 15 September 2006:

"International observers agree that impediments to return [to Gali] include: continuing criminality; poor law enforcement; a bar on the return of former fighters; insufficient funds to reconstruct destroyed homes; uncertainty on language issues; and unwillingness to live under Abkhaz de facto rule."

CHR, 22 June 2006:

“Over the last 15 years, the economic situation in Abkhazia, Georgia, has deteriorated dramatically, with GDP having fallen by 80-90 per cent, per capita income by 90 per cent, and unemployment risen to around 95 per cent. Most industries and State farms are severely damaged or destroyed. Livelihoods, both urban and rural, are now based on subsistence farming.

The infrastructure (electricity, telecommunications, roads, water sewerage) is in a state of collapse. Public services such as health care and education are inadequate. Thus, living conditions of returnees remain extremely poor, with deficient housing, limited economic opportunities and a general lack of public services. The scarcity of resources to rehabilitate or reconstruct houses in the Gali district is said to be among the main concerns of IDPs with regard to return.”

IDMC, May 2006:

According to local observers, people go back and forth between Gali in Abkhazia and Zugdidi in Western Georgia. Those remaining in Gali often rely on their relatives in Western Georgia in order to survive.

Sumbadze & Tarkhan-Mouravi, July 2003:

“[T]he most sensitive issue related to the IDP problem is that of their return. Living in permanent uncertainty, and especially deprived of any reliable information about their homes, timing and conditions of return, is an especially strong stressor. More than half of the houses left behind by IDPs in Abkhazia are not usable any more, as according to existing data about half of IDP houses are destroyed, 12% need major repairs. Many have new owners. One out of five IDPs do not know anything about the condition of their house. But still, if ever repatriation takes speed, there is always a risk, as it happened in Gali in 1998, that repatriates are the group under very high risk if international guarantees are not secured, and even in case this happens.

Occupancy of houses is named as a main reason of not returning of many IDPs from South Ossetia, where the security situation has otherwise improved. The same is true regarding ethnic Ossetians from other parts of Georgia than South Ossetia. While returning itself may be possible, pursuing the restitution of property may appear to be a dangerous option.”

Some internally displaced have opted for resettlement (2000)

- Ossets have often opted to resettle in South out of fear for their safety
- Persons who participated in the hostilities, or have relatives who did, consider themselves to be at particular risk of reprisals should they return

UNCHR, 25 January 2001, para. 105-107:

"While the right of displaced persons to return to their previous areas of permanent residence must be ensured, it is also imperative that return not be viewed as the only possible durable solution for the displaced, who also have a right to resettle voluntarily in another part of the country. Although government policy, especially with regard to ethnic Georgians displaced from Abkhazia, appears to have been powerfully guided by the political priority placed on return of the displaced, resettlement in other parts of the country also must be supported for those internally displaced persons who desire it. The Guiding Principles, to which Georgian government officials responded so positively, affirm that the authorities have a duty and responsibility to establish conditions, as well as provide the means, which allow internally displaced persons to return voluntarily to their homes or places of habitual residence or to resettle voluntarily in another part of the country.

Already, and despite the overriding emphasis on return, it is beginning to be recognized that certain internally displaced persons are unlikely to want to return, out of fear for their safety. The case, noted above, of the Osset man who had opted to resettle in South Ossetia rather than return to his previous residence in government-controlled Georgia, where he feared his safety could not be guaranteed, is one example. Persons who participated in the hostilities, or have relatives who did, consider themselves to be at particular risk of reprisals should they return and thus are likely to prefer resettlement.

An IRC pilot project is providing shelter construction assistance (roofing material, paint, windows, etc.) to some 30 families displaced from Abkhazia who have indicated that they will not return. An additional criterion for participation in the programme is that the prospective beneficiaries own land - a condition which, as detailed above, requires registering as a permanent resident in the area concerned and, under existing legislation, losing one's status as an internally displaced person and the benefits that this entails."

Return movements

Return to Gali, Abkhazia, continues despite insecurity (2003-2006)

- An estimated 40,000-60,000 IDPs have spontaneously returned to the Gali district, at least on a seasonal basis
- The UN Country Team estimated their number at 45,000 as of 2006
- Donors have shown an increasing interest in supporting projects in the Gali district
- The pace of improvement in living conditions varies across the Sector and is entirely dependant on the locals' sense of security and their consequent willingness to invest in improving their situation

OCHA, November 2003, pp. 17-18:

"Specific to Abkhazia, there are additional concerns of the international community such as the high-level of criminality and insecurity in some areas. Moreover, an estimated 15,000 landmines are spread throughout Abkhazia, which endangers humans and livestock, and restrict access to peoples' land. The most complex security situation is in Gali District where an estimated 40,000-60,000 IDPs have spontaneously returned or at least seasonally returned to farm their lands, but where the implementation of relief assistance or rehabilitative programming is limited by these security concerns. Unfortunately, partly because of the lack of rehabilitation on the most basic of infrastructure (i.e. schools, health centres, houses, water, sanitation) and security concerns a good number of these IDPs remain after the end of the summer. However, as a number of returnees, between 30,000 and 40,000 are now residing almost permanently in Gali district, and there is a broad understanding that socio-economic conditions in Abkhazia are not improving, but rather degrading for the most vulnerable strata of the population, some donors have indicated more willingness to support infrastructure and small community building projects. In late 2002 and throughout 2003, a somewhat greater interest by donors to support projects in Abkhazia has been noted, which resulted in launching or re-starting some important new programmes and initiatives, most importantly, this resulted in the reopening of the office of *Première Urgence* in November 2002, which *Accion contra el Hambre* reactivated its programme in January 2003, subsequently introducing two other projects, one funded by SDC and another implementing partner to WFP."

UN Country Team in Georgia, 28 February 2006:

The Housing Assessment is set against the background of the armed conflict in Abkhazia. It is estimated that 79,000 persons have been displaced from the district as a result of the conflict and that during the last years around 45,000 persons have returned spontaneously to Gali district (including persons living there on a seasonal basis), many returning to destroyed pre-war homes without means to ensure adequate living conditions.”

CHR, 22 March 2006:

“UNHCR plans to verify their exact number in the coming months.”

IMDC, May 2006:

According to UNHCR in Georgia, no return occurred in 2005-2006.

UNOMIG, 2 November 2005:

“In some cases IDP only return to their homes temporarily to tend the land before returning to their camps on the Georgian side of the cease-fire line. The pace of improvement in living conditions varies across the Sector and is entirely dependant on the locals' sense of security and their consequent willingness to invest in improving their situation.”

For a thorough discussion on return options, please see:

Prospects for Return of Internally Displaced Persons (IDPs) to Abkhazia in Georgia, Background Paper by Inger Christine Svendsen, Tbilisi, **Norwegian Refugee Council (NRC)**, November 2005 [URL below]

UNHCR facilitates return to South Ossetia (2005-2006)

- Since 1997, UNHCR has been monitoring the needs and facilitating the return of both refugees and IDPs in the Georgian-Ossetian conflict zone
- Between 1997 and 2005, UNHCR has assisted 1,709 returnee families (5,735) individuals and another 200 other vulnerable individuals of concern, with shelter and other assistance
- The process of returning people to the Georgian-Ossetian conflict zone has been virtually suspended since summer 2004, and very few numbers are returning under current volatile circumstances
- Poor economic situation in South Ossetia has deterred many from returning home as opportunities for income generation and basic services are largely absent

CHR, 22 March 2006:

“The poor economic situation in the Tskhinvali Region/South Ossetia has deterred many from returning home as opportunities for income generation and basic services are largely absent. The international community has paid much less attention to the situation in the Tskhinvali Region/South Ossetia, with rehabilitation and reconstruction projects for returnees virtually inexistent. The Representative [on the Human Rights of IDPs] visited a settlement of returnees where houses had been provided by the humanitarian community. However, due to insufficient resources houses had not been adequately insulated against cold weather, and did not have water or sanitary facilities.”

UN Country Team in Georgia 30 November 2005:

“Since 1997, UNHCR has been monitoring the needs and facilitating the return of both refugees and IDPs in the Georgian-Ossetian conflict zone. Between 1997 and 2005 (November), it has assisted 1,709 returnee families (5,735) individuals and another 200 other vulnerable individuals of concern, with shelter and other assistance. It has also supported infrastructure projects in targeted villages of return/potential return conflict areas, through repair/rehabilitation of communal

facilities such as schools, health points/hospitals, water distribution networks, youth centres, piglet farms, etc. Although returnees receive the support needed for the initial stages of their return, their living conditions and reintegration are very much dependant on the overall economic situation in the conflict zone and the huge infrastructure and developmental needs in their areas of return. Humanitarian assistance and self reliance programmes are still required in the immediate term to help returnees meet their basic needs.

This, combined with longer-term infrastructure and developmental programmes benefiting entire communities, will help improve overall living conditions of returnees and return areas as well as ensure the sustainability of returns.

However, reportedly, the process of returning people to the Georgian-Ossetian conflict zone has been virtually suspended since summer 2004, and very few numbers are returning under current volatile circumstances.”

Seasonal nature of return to the Gali district (2000-2006)

- Hazelnut crops draw displaced persons back to Abkhazia for the harvest in the summer
- Children living in collective centres in Zugdidi and Samegrelo region maintain strong links with their family and land in Gali
- Another factor influencing the seasonal nature of return is the issue of education
- For this reason some children are separated from their parents, who have returned to Gali, and live with other relatives while they finish their studies in Zugdidi
- The 'seasonal returnees' often go back and forth between Georgia proper and their home areas several times a season

UNICEF/NRC, October 2006:

“Many children and youth living in collective centers in Zugdidi and the Samegrelo region are from the Gali region. Though they have fled their homes in Abkhazia, they maintain strong links with their family and land in Gali, and frequently, yet temporarily, return throughout the year. Families are separated from each other across the border and many children in collective centers of Samegrelo go to Gali to visit their grandparents and other relatives living there full time. Some take their holidays there, preferring the natural atmosphere of their Gali villages to urban Zugdidi despite the security threats. This cross border movement is most common in the late summer when children accompany their parents to profit from the hazelnut harvest. While in Gali visiting family and friends and working on the hazelnut harvest to support their family, young people have cited many threats to their security. In addition to working the land, young people and their parents also take risks to smuggle goods, such as cigarettes, across the border in order to earn a living. Thus, even though security issues prohibit many families and children from permanently returning to Abkhazia, it is common that they take the risk to return in order to see relatives and support their livelihoods. Young IDPs gave many reasons for visiting Abkhazia including:

The need to take care of family graves, and care for their houses and land

In order improve the economic situation of their family either through working on the land and harvesting agricultural products or through smuggling goods, such as cigarettes or marijuana

To visit their parents, friends or relatives

Because they miss their homes and homeland

For vacation.” [...]

While they are able to return temporarily, almost all those we interviewed stated that they did not feel secure, and faced numerous barriers to full return. A big concern for children and young people is the violation of their right to study in the Georgia language in most schools in the Gali

region. This makes it nearly impossible for them to prepare to enter higher educational institutions in the rest of Georgia. For this reason some children are separated from their parents, who have returned to Gali, and live with other relatives while they finish their studies in Zugdidi."

UNCHR, 25 January 2001, paras. 79-82:

"There is indeed a clear seasonal pattern to return, connected with the cultivating season and taking advantage of the fertile land in the Gali district. Hazelnuts are one of the more lucrative crops, drawing displaced persons back to Abkhazia for the harvest in the summer who then return to Georgia proper for the fall and winter months. It was noted that, in the absence of access to land or to adequate opportunities for employment and income-generation in Georgian proper, economic desperation is a driving force in the decision of the displaced to return, if only temporarily.

Another factor influencing the seasonal nature of return is the issue of education, in particular the language of instruction. According to the curriculum developed by the de facto Abkhaz 'Ministry of Education', elementary education, from grades one to five, is provided only in Russian. This is true even in what are designated as Georgian language (as opposed to Russian or mixed Russian/Georgian) schools. Though instruction is provided in the Georgian language from grade six onwards, the prohibition on instruction in Georgian in elementary education was pointed out as being a powerful deterrent to durable return of displaced ethnic Georgians as it threatens to impede the possibility for higher education elsewhere in Georgia. Though some language and cultural instruction is provided on the margins of the core material, Georgian history reportedly is not taught at all.

[...]

It should be noted that the 'seasonal' nature of the return relates to the general timing of return as opposed to its duration. The 'seasonal returnees' often go back and forth between Georgia proper and their home areas several times a season. International observers noted that there is regular traffic of internally displaced persons, especially across the bridge near Zugdidi that connects southern Gali with Georgia proper. In the case of persons whose homes are in southernmost Gali (it was said that some displaced could see their homes across the Inguri river), the actual period of return may be as little as a few hours. Typically, it is several days or weeks, with displaced persons then going back to Georgia proper, in particular once they have harvested produce to sell. Movement back to Georgia proper have also been noted to correspond to times when internally displaced persons are scheduled to receive humanitarian assistance, which in Abkhazia, where the activities of international humanitarian organizations are limited, is inadequate to meet the actual needs of the population there."

Report of the Council of Europe Commissioner for Human Rights (13 July 2000):

Council of Europe 13 July 2000, III - Refugees and displaced persons wishing to return to their place of origin:

"To survive, [IDPs in Zugdidi], who live in frightful poverty, depend entirely on family support, ie other courageous family members who infiltrate the Abkhazian border region of Gali at night or with the help of 'gifts' to work for a few days or longer in order to make a living and pick up and bring back to Zugdidi whatever they can find for their families. It is said that 7 to 8,000 illegal workers (including more than one quarter of the IDPs registered in Zugdidi) leave and return every week! The 'cruel' question here of course has yet to receive an official answer: whether not only the electricity is in the process of being 'cut', but also food and financial aid to the IDPs near and along the border on the Georgian side in order to prompt them to return sporadically to Abkhazia and to try to ensure their material survival there and thus maintain international political pressure on the Abkhazian authorities. This is the actual opinion of many officials whom we met, who spoke of 'attempts to instrumentalise the Georgian IDPs', but I can neither confirm nor invalidate this hypothesis without additional reliable facts on the subject."

UNHCR 1994 return plan fails (1995-2006)

- The Agreement remains the only document relevant to the return of IDPs and refugees signed by the parties (2006)
- Abkhaz representatives paid only lip-service to UNHCR's return plan
- UNHCR moved ahead despite reports on violence against Georgian returnees in Abkhazia
- Abkhaz "authorities" sought to implement the plan in a discriminatory manner
- The UNHCR plan was designed for the return of 80,000 IDPs, but only 311 people finally opted to repatriate under the plan

OSI, 1995, pp.19-20:

"From the outset, the Abkhaz government has officially supported the UNHCR-supervised repatriation plan as defined in the Quadripartite Agreement on the Voluntary Return of Refugees and Displaced Persons signed in Moscow on April 4, 1994, by Abkhazia, Georgia, Russia and the UNHCR.

In practice, however, official support for the repatriation plan was consistently contradicted by the statements and actions of Abkhaz representatives both in Sukhumi and the Gali region. International NGOs report that in preliminary meetings in Sukhumi in May 1994, Abkhaz officials, notably Deputy Prime Minister Enver Kanba, expressed open hostility toward ethnic Georgians. Officials in the Gali region did the same. While fighting continued around Gali, there were almost daily reports of violent attacks on ethnic Georgians who had tried to return from Gali to check on their homes and gardens. The Abkhaz authorities attributed these deaths to landmines and bandits, taking no responsibility for the ethnic targeting that was in fact taking place.

Open Society Institute, 1995, pp.27-31:

"The plan endorsed in April 1994 by Abkhazia, Georgia, Russia and the UNHCR called for the repatriation of the displaced population in stages, starting with some 80,000 people who fled the Gali region in southeastern Abkhazia as defeated Georgian troops retreated in September 1993. Most of these people abandoned their homes before Abkhaz troops reached the region, seeking refuge with the local population in and around the Georgian town of Zugdidi across the Inguri river. Non governmental organizations working in Sukhumi believe that about 30,000 have already returned to the Gali region.

According to the UNHCR plan, some 80,000 IDPs were to be repatriated before the end of October 1994. The plan included, among other features, a computerized inventory of all potential returnees; provision of materials to the returnees for reconstruction of homes; a media campaign to inform and prepare the populations on both sides of the border; and a controversial prior review process whereby Abkhaz authorities reserved the right to screen potential returnees, excluding anyone who had taken up arms on the Georgian side (the majority of able-bodied men), or who intended to take up arms in the future. Abkhaz authorities later extended the exclusion criteria to persons having sent money out of Abkhazia. By autumn 1994, the NGO community believed Abkhaz officials had compiled a list of 14,000 to 25,000 Georgians not permitted to return to their homes.

Critics of the UNHCR repatriation program, including the NGO community in Tbilisi, faulted the plan for its hasty preparation, particularly for ignoring some of the refugee organization's own standard procedures in assessing community attitudes on both sides of the border before promoting a mass repatriation. Following are the main criticisms of the plan cited by leading NGOs working in Georgia:

An exclusionary clause included in the Quadripartite Agreement allows authorities to exclude former Georgian combatants from repatriating to their Abkhaz homes. But it also casts a wide net over all men of fighting age, excluding them for past as well as possible future activity; moreover, the time-frame for the screening process is open-ended, allowing the authorities to assess someone at any time. While the women and children related to excluded men would be allowed to return, critics point to the destabilizing effect of long-term family separation, and the massing of a restive male exile population on the Zugdidi side of the border.

The UNHCR headquarters staff in Geneva was aware of this program, and delegations were dispatched to Georgia to perform assessments. Geneva also deployed one of the most experienced field officers from its ex-Yugoslavia program to run the operation from Zugdidi. To the NGOs in Georgia it seemed inconceivable that the headquarters would proceed with a \$4 million plan without considering the physical risks to the returnees and the potential for the program to end in disaster. By September 1994, many NGOs were even more adamantly opposed to proceeding under the terms of the plan, citing the above criticisms and underscoring the UN's own weekly reports of rampant criminality in Abkhazia and daily assaults, abductions, rapes and house-burnings in the Gali region when Georgians tried to return from Zugdidi.

Despite repeated appeals by the groups that were to serve as implementing partners in the repatriation plan, UNHCR did not sufficiently survey either the displaced population in Georgia or the resident population in Abkhazia into which the IDPs would have to be reintegrated. While thousands trickled home on their own, only 311 people finally opted to repatriate under the UNHCR plan."

***Since then, UNHCR has taken a more cautious stand on the issue of return:
UNHCR, 1999, Mid-Year Progress Report-Georgia:***

"The adoption of two essential protocols concerning the return of IDPs and the rehabilitation of Abkhazia, is still awaited. In March [1999], the Abkhaz side unilaterally initiated the registration and repatriation of IDPs in Gali district. It is estimated that the current population in Gali region is around 30,000. However, the sustainability of return is questionable since there are still no security guarantees from either side."

CHR, 22 March 2006:

"In 1994, the Georgian and Abkhaz sides (the Parties), together with the Russian Federation and UNHCR, signed the Quadripartite agreement on voluntary return of refugees and displaced persons, based inter alia on "the right of all citizens to live in and to return to their country of origin" as enshrined in the International Covenant on Civil and Political Rights. The Parties reaffirmed their "willingness to create conditions for the voluntary, safe and dignified return of displaced persons to their permanent places of residence in all regions of Abkhazia", expressed their "desire [...] to cooperate with each other to achieve full observance of the principles and safeguards governing voluntary repatriation" and agreed to guarantee "security and living conditions in the areas of return" before implementing repatriation operations. The Agreement obliges the Parties to ensure, inter alia, that returnees will be protected from harassment, that they have their expired identity and residence documents extended and their lost property restituted or, if not possible, will be duly compensated, to which end the establishment of a property claims mechanism was envisaged. A Quadripartite Commission was established under the Agreement to implement its provisions. However, the Commission functioned only from 1994 to 1995 before its work stalled due to disagreement between the Parties, having organized the return of only 311 persons. The Agreement remains the only document relevant to the return of IDPs and refugees signed by the parties."

See the full text of the Moscow Quadripartite Agreement on Voluntary Return of Refugees and Displaced Persons, Signed on 4 April 1994 [[Internal link](#)]

HUMANITARIAN ACCESS

General

International NGOs required to register by Abkhaz de facto authorities (2006)

- Volatile security in Abkhazia

"De facto Abkhaz President Sergey Bagapsh has signed a decree "On the introduction of amendments to the Regulation "On rules for the registration of branches and offices of foreign non-governmental organizations in the republic of Abkhazia"". Apsnypress was told this by the official representative of the de facto president for relations with the mass media, Kristian Bzhania.

Paragraph 10.1, which was added to the Regulation, says that "an office registered at the ministry of justice of the republic of Abkhazia under the rules set out in this regulation shall within five working days register with the tax authorities of the republic of Abkhazia". The decree comes into force from the day it is officially published." (Apsnypress, 25 April 2006)

In interviews carried out in Tbilisi with international NGO representatives, IDMC learned that several NGOs had registered with de facto authorities. It also learned that international staff could travel on their own in Abkhazia given the risk of being attacked. Georgian staff (those whose mother tongue is Georgian) of international organizations often do not get the authorisation to travel to Abkhazia, especially if they were born in Abkhazia (IDMC May 2006).

"In certain parts of Abkhazia, most notably Gali District and the Kodori Valley, the volatile security environment complicates even the provision of humanitarian assistance. The lack of safe and dignified conditions for returnees in the Gali District remains as one of the biggest challenges faced by international humanitarian agencies. Acute humanitarian and basic rehabilitation needs continue to be a problem and the difficult economic situation encourages criminality. Many returnees continue to migrate between Georgia proper and Abkhazia, returning to Abkhazia to harvest and sell their crops for extra income to supplement the IDP allowance they receive in Georgia proper." (UNDP January 2005)

Logistical and security obstacles to access vulnerable populations in Abkhazia and South Ossetia (2004-2007)

- In Abkhazia, de facto authorities require a clearance process for staff of international organisations to travel to the region; security remained tense in Gali as of 2007
- In mid-2004, CIS Peace Keeping Forces introduced a more rigorous notification process for the vehicles of all international organizations, except the UN, crossing the ceasefire line into Abkhazia
- South Ossetian and Georgian civilians and soldiers have been injured or killed during the past years; Kidnapping and killings on both sides are often linked to criminal activities, which frequently lead to road closures.

Abkhazia

UNSC, 18 July 2007:

“The security situation in the Gali sector [of Abkhazia] remained tense. UNOMIG maintained an increased rate of patrols, including through the periodic deployment of temporary forward patrol bases co-located with CIS peacekeeping force check-posts. The Abkhaz de facto militia continued to deploy additional posts throughout the Gali district, though personnel numbers remained below the limits specified in relevant agreements and protocols.[...]

Crime reports during the reporting period included two killings, seven shootings, nine robberies and three abductions.”

OCHA, 19 November 2004:

“There are many issues that challenge the work of the international community when working in conflict areas. Logistically, travelling to Abkhazia is more complicated than to other parts of Georgia and the de facto authorities there require a five-day "clearance" process from the personnel of most international organisations travelling to the region. In the summer of 2004, the CIS Peace Keeping Forces also introduced a more rigorous notification process for the vehicles of all international organizations, except the UN, crossing the ceasefire line. The de facto authorities in South Ossetia often show a strong interest in and distrust of programming which goes beyond a strictly humanitarian focus. The lack of international programming has kept the capacity of the local NGO community at a very basic level. Another challenge of working in Abkhazia is the difficulty in implementing cross border programmes between Abkhazia and Georgia Proper. Some organizations have managed to traverse these obstacles and have set up joint programmes. However, for many others the difficulties prove too great. With South Ossetia, the parties at the local level seem more willing to work together and the problems of strict borders do not exist as in Abkhazia. However, it is important to note that the situation has deteriorated in 2004 and access to South Ossetia has become more limited. These kinds of challenges, including security concerns in parts of Abkhazia and South Ossetia, can make working in the conflict zones more difficult but are not so limiting as to prevent organizations from implementing programmes there.”

South Ossetia

ICG, 7 June 2007:

“Indiscriminate shelling and small arms fire have contributed to a rise in tensions since 2004. [...]

Small arms fire occurs nightly and occasionally also in daylight in both Georgian and Ossetian-administered areas. Less frequent but more dangerous are indiscriminate exchanges of fire between Georgian and Ossetian troops or armed residents, which have left dozens of injured on both sides since 2004.[...]

On 25 March 2007 two Georgian soldiers were killed by South Ossetian forces near an Ossetian-administered village. A few months earlier a clash near Tibeti and Nikozi resulted in the deaths of three South Ossetians and one Georgian.[...]

Kidnapping and killings on both sides are often linked to criminal activities, which frequently lead to road closures.”

NATIONAL AND INTERNATIONAL RESPONSES

National response

State institutions in charge of IDP protection and National IDP Legislation (2007)

- The Minister for Refugees and Accommodation acts as the government focal point for issues of internal displacement
- In order to protect and assist IDPs, the Georgian government has developed IDP-related legislation
- Law of Georgia on Internally Displaced Persons – Persecuted of June 28, 1996
- In practice, efforts to enforce IDPs' political and civil rights have long been neglected, mainly due to political considerations
- In February 2007 the Georgian government adopted an IDP national strategy developed with the support of civil society organisations and international partners

There exists a certain solidarity between the Georgian Government and the internally displaced, at least the ethnic Georgians who constitute the majority of the displaced, which can be attributed in particular to shared ethnic kinship. Accordingly, and unlike in many cases of internal displacement, the displaced are not associated with the 'enemy', nor are they subject to attacks on their physical security on that basis (UN CHR 25 January 2001, paras. 109-110).

Who is in charge of responding to the needs of IDPs?

The Minister for Refugees and Accommodation (MRA) acts as the government focal point for issues of internal displacement. The Ministry of Agriculture (MoA), the Ministry of Education and Science (MoES), and the Ministry of Labour, Health, and Social Affairs (MoLHSA) are also involved in assisting the population. There is however no formally established state agency to respond to natural disasters or emergencies (OCHA 19 November 2004). In the provinces, there are local branches of the MRA. Unfortunately, it lacks staff and resources to be able to provide accurate information to IDPs, and in return to provide a comprehensive picture of their needs (IDMC, May 2006).

According to national and international interlocutors in Tbilisi it is difficult or impossible to have certain individual cases of IDPs resolved effectively, as the distribution of responsibilities among the various levels and branches of Government addressing internal displacement were unclear and cooperation between them inefficient." (CHR, 22 March 2006)

Another important actor in relation to IDPs is the "Abkhazian government in exile", i.e. members of the local government who found refuge in Tbilisi and who continue to represent the interests of people displaced from Abkhazia. For example, the Ministry of Education of the Abkhazian government in exile is an important link between the Georgian Ministry of Education and IDPs themselves (IDMC, May 2006).

What are the national legal mechanisms protecting IDPs?

In order to protect and assist IDPs, the Georgian government has developed IDP-related legislation and protective mechanisms. Since 1992 approximately 200 enactments and bylaws

(both general and specific) have been adopted. Georgian legislation regulates IDPs' rights by means of two types of legal acts, namely:

- a. Legal acts that are limited to IDPs only and do not apply to other citizens of Georgia. These acts regulate issues related to the specific state of IDPs;
- b. Legal acts that are not limited only to IDPs. These acts apply to the entire population of Georgia, including IDPs.

The principal law which regulates IDPs' rights is the 'Law of Georgia on Internally Displaced Persons – Persecuted' of June 28, 1996. According to the Preamble, the Law 'defines the legal status of Internally Displaced Persons in Georgia, establishes their legal, economic and social guarantees, and ensures the respect and realization of their rights and legal interests.' (UN OCHA June 2003, pp. 5-6). This law states that 'a citizen of Georgia or a stateless person permanently residing in Georgia can be considered as an Internally Displaced Person, if he/she was forced to leave his/her place of residence and has been displaced (within the territory of Georgia) on the grounds of threat to life, health or freedom of his/her family members as a result of aggression from a foreign state, internal conflict or mass violation of human rights.' Unlike the UN Guiding Principles on Internal Displacement, the Georgian legislation does not view victims of natural and artificial disasters as IDPs. This may be explained by the fact that Georgian authorities were then advised by the UN High Commissioner for Refugees (UNHCR) which does not have a mandate for this category of IDPs, and because by 1996, persons displaced as a result of armed conflict experienced the most serious problems (OCHA, June 2003, p. 7).

CHR, 22 March 2006:

"The 1996 Law of Georgia on Forcibly Displaced Persons - Persecuted Persons defines the legal status of IDPs in Georgia, establishes their legal, economic and social entitlements, and aims at ensuring respect and realization of their rights and legal interests, such as free choice of residence within Georgia. Benefits include the use of public utilities free of charge at the temporary residence of IDPs, as well as monthly financial allowances from the Government.

Those recognized as particularly vulnerable are entitled to free medical services. The law further envisages the return of private property to returnees and/or compensation for damages thereof, and obliges national and local authorities to 'create necessary social and economic conditions for the safe living of the Persecuted Person at his/her place of permanent residence'.

Despite these positive aspects, the law and ensuing policies of the former Government focused on return as the only desirable solution and created many obstacles to the local integration of those IDPs who were willing to start a new life away from their pre-war communities."

See the unofficial English translation of the "Law on Internally Displaced Persons - Persecuted", as amended on 9 June 2006 [Internet]

What benefits do IDPs receive?

The state allocates allowances to IDPs, which represent the main source of income for the majority of them. The sum is much less than the subsistence minimum and it is paid to all IDPs even if they work and receive a salary meeting the subsistence minimum. Apart from state allowances, IDPs are entitled to certain benefits funded by the central government, such as discounts on community utilities, electricity, water supply, telephone communication and transportation. In addition, IDPs of the pension age and those who fought for the territorial integrity of Georgia receive pensions. Local authorities hosting IDPs also provide so-called 'civil service' to displaced persons, as well as other benefits envisaged by the local budget for local residents. Since the aid depends on the extent of the regional budget, assistance provided varies from place to place (OCHA, June 2003, pp. 17-20). 2006 marked a major change in the allowance system of disbursement of social allowances. The allowance programme which until

now had been administered by the Ministry of Refugees and Accommodation has now been transferred to the Ministry of Labour, Health and Social Affairs and State Agency of Employment and Social Assistance. First stage of the programme will provide free healthcare and the second stage will provide cash assistance to the destitute households. The former allowance system to IDPs will however continue until the end of 2006, since as of May 2006, only 50,000 IDPs had submitted their applications to the new programme (UNCT in Georgia, 31 May 2006)

Examples of rights and exemptions granted by the Georgian law:

The right to have agricultural land plots for temporary use (Law of Georgia on Internally Displaced Persons – Persecuted”, Article 5, paragraph h)

The right to be exempted from paying the land tax on agricultural land plots (Law of Georgia on Internally Displaced Persons – Persecuted, article 5, paragraph h)

Exemptions of IDPs from fees payable for getting certificates with official stamp issued by registry offices; persons recognized as IDPs according to the rule established by legislation shall be exempt from state duties. (Decree # 201 of the President of Georgia of March 4, 1996; Law of Georgia on State Duties, article 5, para. 3d)

Right to free education in public schools (Law of Georgia on Internally Displaced Persons – Persecuted)

Right to free passage of IDPs in Tbilisi in Public Electric Transport (Resolution # 264 of the Cabinet of Ministers of Georgia of May 10, 1995)

Right to preferential travel by railway transport (barring commercial train) on the territory of Georgia (50% discount) (Resolution of the Railway Department of Georgia, 1997; Order #1 of the Minister of Transport and Communications of Georgia on Railway Transportation Preferences for IDPs of January 3, 2001)

Discounts for electricity payment for IDPs residing in collective centres (Order #481 of the President of Georgia of November 26, 2001, Article 13, para. B)

Right to preserve his/her status after marriage (Law of Georgia on Internally Displaced Persons – Persecuted)

Right to grant an IDP status to a child upon the parents' consent if one of them is not an IDP (Law of Georgia on Internally Displaced Persons – Persecuted) (UN OCHA June 2003, annex A)

For a comprehensive review on the actual implementation of these rights, consult the Study on IDP Rights, UN OCHA, June 2003 [Link below]

See also "Monitoring of Legal and Actual Status of Internally Displaced Persons in Georgia", Georgian Young Lawyers' Association, 1999 [Internal link]

See also Government of Georgia, 20 March 2002

The resolution of the Parliament of Georgia "On the unlawful misappropriation of state property and refugees and internally displaced persons' private property in Abkhazia" [[Internet](#)]

In practice, efforts to enforce IDPs' political and civil rights have long been neglected, mainly due to political considerations (OCHA 19 November 2004). In 2002, the election code restored the right of IDPs to vote in local and parliamentary elections, and was further amended in 2003 to give IDPs the right to become elected (NRC Georgia, 14 March 2003 & OCHA, December 2003). In November 2003, the constitutional court also declared that legal provisions preventing IDPs from acquiring property without losing their national IDP status were unconstitutional. However, mismanagement, corruption, and lack of funds continue to limit the impact of the state's action towards the integration of IDPs (UN OCHA November 2003).

The Georgian government adopted in February 2007 a national strategy on IDPs (GoG, 2 February 2007). The National Strategy deals with all aspects of displacement – housing, employment, and legal status. In the strategy, the government has stressed that integration of IDPs does not hinder their future return to the habitual residence. Thematic working groups

involving relevant government agencies, UN agencies, international NGOs and civil society provided substantial input to draft the strategy. The Strategy aims to serve as a foundation for the Government's action plan, which will be implemented with anticipated support from the United Nations and other International Organizations. It aims to serve as an umbrella for all short- and long-term projects aimed at resolving the problems of IDPs, including their current integration and reintegration upon the return. According to local observers though, as of September 2007, an action plan had yet to be adopted. Also, it was not clear what funds would be available to implement the strategy, nor which government structure would be in charge.

In February 2006, the Georgian government issued a decree establishing a commission tasked to elaborate the State Strategy for IDPs. The commission is chaired by the Minister of Refugees and Accommodation, and includes various Ministers. International organisations and NGOs are invited to participate in the work of the commission (GoG, 23 February 2006).

Certain activities have been already undertaken since the launching of the Strategy. Namely, a Secretariat has been established within the frames of the Government Commission, and it serves as facilitator of the process and ensures its implementation. As a first step, a Roadmap of the Strategy and draft framework were elaborated with the assistance of international consultant. The Roadmap features concrete stages such as the preparation of draft, pre-implementation and implementation of the Strategy (UNCT in Georgia, 31 May 2006)

In August 2006, a member of the UN Women's anti-discrimination committee noted that women comprised 55 per cent of the displaced population, and wondered if the Georgian Government's efforts to develop the strategy on IDPs took into account the specific needs of female IDPs and their vulnerable situation (CEDAW, 15 August 2006).

In March 2006, the Minister for Refugees announced the launch of an inventory of property owned by Georgian IDPs from Abkhazia and South Ossetia, and called on the leadership of the breakaway regions to cooperate in this process (United Nations Association of Georgia, 7 March 2006).

Civil Society Organisations

In Georgia, numerous national NGOs run projects beneficial to or expressly targeting IDPs, such as income-generation projects, medical assistance and psychosocial rehabilitation, extra-curricular education for IDP children, promoting human rights awareness and vocational training (CHR, 22 March 2006).

Displaced women have mobilized to take charge and find solutions to pressing economic and social issues burdening their communities. Many organizations have evolved into advocacy organizations for displaced people on a national level. They have helped bring the government, donor, and even general public's attention to issues such as collective center degradation and psychosocial trauma. Other organizations have been effective partners for donors both in providing humanitarian assistance to the most vulnerable displaced persons and for developing microcredit and small and medium-size enterprise programs. Still more groups first developed as small, community-based organizations of women desperate to improve conditions for their families (Buck September 2000, p. 10). Some national NGOs, particularly the Georgian Young Lawyers' Association (GYLA), have provided legal aid to IDPs (The Horizonti Foundation, 29 January 1999, sect.3). NRC's NGO partners, Legal Protection Institute, Society & Justice and Social Programs Foundation, work throughout Georgia to advocate on behalf of IDPs' rights to local authorities, and to bring up cases to the courts when necessary. In the city of Kutaisi for

example, a court ruled that IDPs did not have to pay taxes which it judged illegal (IDMC, May 2006).

Some 75 NGOs in the Caucasus are part of the CRINGO network supported by the Danish Refugee Council (DRC). About 20-30 are in Georgia, and 16 of them are in Tbilisi. CRINGO is managing civil society input to develop the IDP strategy. NGOs seem to put a lot of hopes in this process, as according to some civil society observers, this is the first time in 15 years that the government has taken such an initiative. Local NGOs have started organising meetings on the different themes to provide input to IDP strategy.

Some civil society organisations defending the rights of IDPs and others reported harassments and physical threats from the government (IDMC, May 2006)

For more information on CRINGO, see:

Caucasian Refugee and IDP NGO Network - CRINGO, 2006, Suggested CRINGO Input towards IDP strategy process
[Reference below]

Caucasian Refugee and IDP NGO Network - CRINGO - Programme Document 2006 - 2010
[Reference below]

Caucasian Refugee and IDP NGO Network – CRINGO, 2006, Introduction to the CRINGO network
[Reference below]

For more information on the international and local organisations working with IDPs in Georgia, please see:

CALTRIDER, Luc, IDP Assistance Partners, prepared under the New Approach to IDP Assistance Initiative, Tbilisi 2004 [see reference below]

The UN in Georgia also publishes the IDP Newsletter, which highlights NGOs' IDP-related activities. Direct links to the IDP Newsletter can be found in the bibliographic list.

You can also consult Assistance Georgian, a web site initiated by the Save the Children's Georgian Assistance Initiative (GAI) which provides information in support of humanitarian and development aid activities in Georgia [Internet: <http://www.assistancegeorgia.org.ge>], and particularly its information on organizations working with IDPs and refugees:

See also USAID Research Paper "Aftermath: Women's Organizations in Postconflict Georgia", September 2000 [Internet]

International response

Policy and Coordination

- 1999: New Approach to internal displacement in Georgia
- During his visit to Georgia in May 2000 – including to Abkhazia - the UN Special Representative on IDPs expressed his support to the "New Approach" policy

- In 2002, the Parliamentary Assembly of the Council of Europe urged the Georgian government to refrain from instrumental use of the displaced population for political aims
- In 2003, a working group on legal issues, involving UN agencies, authorities and NGOs, reviewed IDP rights in the national legislation and their implementation on the ground
- In 2004, observers noted the little effectiveness of activities carried out under the new approach
- OCHA office closed down in 2004, but a new Transition Unit was created under the Office of the UN Resident Coordinator
- International Community supported the development of national strategy on IDPs (2006-2007)

In 1999, a group of organisations (UNDP, UNHCR, OCHA, and the World Bank), and the Government of Georgia forged a partnership to improve the lives of IDPs in Georgia and of their host communities by reforming government policy and supporting a transition from humanitarian assistance to development centred activities. This 'new approach' addressed the contradictory aspects of the long-term IDP problem - providing both for a proper life in their new adopted homes, as well as leaving the way open for a return to their former lives (UNDP 2004). Later, the Swiss Agency for Development and Cooperation (SDC) and the United States Agency for International Development (USAID) joined this initiative. The New Approach, guided by an emphasis on sustainable development, aimed at overcoming legislative obstacles to the participation of IDPs in civil society, creating capacity building programmes for IDPs, rationalizing subsidies to IDPs, implementing comprehensive policy/advocacy activities, and piloting development-oriented assistance to IDPs (OCHA, 19 November 2004). A Self-Reliance Fund, with an initial capital of US\$ 1.3 million was created to support innovative programmes that strengthened IDPs' self-reliance (OCHA, October 2002). Under the New Approach, several in-depth reports on IDP issues were conducted in 2004, in particular on health, education and financial instruments (Zoidze & Djibuti, 2004; Matiashvili, 2004; Gaganidze & Sabadze, 2004). Due to implementation delays and other administrative obstacles, the New Approach caused disappointment. Ultimately the program was seen as just another financial mechanism for local NGOs, and there is no more funding (ICG, 15 September 2006).

For more information on the New Approach, see UNDP, [The New Approach- IDP Assistance in Georgia](#) [Internet]

During his visit to Georgia in May 2000 – including to Abkhazia - the UN Special Representative on IDPs expressed his support to the "New Approach" policy. He also recommended the authorities to ensure for the internally displaced equitable access to social services and the right to fully participate in public affairs and to give special attention to the particular needs of women and women-headed households. Also, while the right to return in safety and dignity should be upheld, the right of IDPs to pursue alternatives to return should be recognized (UNHCHR, 25 January 2001).

In 2002, the Parliamentary Assembly of the Council of Europe urged the Georgian government to refrain from instrumental use of the displaced population for political aims. It also stressed that support should be given to the integration of IDPs and refugees in host communities, and that donors should ensure that humanitarian aid is not phased out before it is replaced by development assistance (COE, 27 June 2002).

See also the report prepared by the Committee on Migration, Refugees and Demography for the Parliamentary Assembly of the Council of Europe [Report on the situation of refugees and displaced persons in Armenia, Azerbaijan and Georgia, 4 June 2002](#) [Internet]

See also *Recommendation 1305 (1996) on the humanitarian situation of the displaced persons in Georgia, adopted by the Parliamentary Assembly on 24 September 1996 [Internet]*

International agencies generally acknowledged that more should be done to help IDPs take care of themselves. In 2003, a working group on legal issues, involving UN agencies, authorities and NGOs, reviewed IDP rights in the national legislation and their implementation on the ground. The survey highlighted the lack of information among IDPs and officials about the rights of IDPs. It recommended a series of measures, such as a public awareness campaign on IDP rights and legal reforms, particularly regarding voting rights (OCHA, June 2003 & December 2003).

OCHA closed its office in Georgia at the end of 2004. OCHA functions had been gradually handed over to UNDP and others. A new Transition Unit was created under the Office of the UN Resident Coordinator in order to facilitate and coordinate the work of the UN Country Team agencies, as well as continue cooperation the Government, NGOs and donors) on the relevant issues (OCHA 30 December 2004). According to OCHA, there needs to be increased information sharing and coordination with the Government and with/between international and local organisations (OCHA, 19 November 2004).

In its periodic reports to the UNSC, the UN Secretary-General regularly stresses the need for progress on the question of refugees and internally displaced persons in Georgia (See for example UNSC, 18 July 2007). In 2007, UN Human Rights Office in Abkhazia, Georgia, called the attention of the Abkhaz de facto Parliament to the fact that draft legislation attempting to restrict the scope and rights of internally displaced persons would be in breach of international law and would undermine the fundamental right of return.

Support to the development of the national strategy on IDPs

In December 2005, the UN Secretary-General's Representative on the Human Rights of IDPs, Walter Kälin, visited Georgia and said that he was "shocked by the misery" in which some of the 240,000 IDPs still live, more than a decade after the main hostilities between Georgia and its secessionist territories of Abkhazia and South Ossetia had ceased. Kälin recommended that the government design a comprehensive policy to address the displacement crisis, in close consultation with civil society and the displaced themselves. He also urged Georgian institutions to urgently adopt and implement legislation on the rehabilitation and restitution of property to victims of the conflict (Brookings Institution, 3 May 2006). In December 2006, Walter Kälin participated in the presentation by the Georgian government of the draft strategy in Tbilisi. He welcomed the fact that the Strategy was based on international human rights standards and on the Guiding Principles on Internal Displacement, and particularly that it incorporates the principle that allowing and assisting IDPs to integrate into society and respecting their right to return to their homes and communities are not mutually exclusive options, but rather reinforce each other (Human Rights Council, 3 January 2007).

UN agencies and international NGOs working on IDP issues supported the MRA to develop the national policy on IDPs. The first draft of the policy has to be developed by the end of August in order to coincide with the budget allocation by the Georgian Parliament. Thematic groups provided input to a commission comprised of Ministers and overseeing the process Thematic groups are co-chaired by relevant Ministries and by international organisations. Each thematic group was comprised of 2 government representatives, 2 UN representatives, 2 INGOs representatives, and 2 local NGO representatives. The process emphasised the participation of civil society, and organisations working with IDPshad direct representation in the working groups developing the strategy. UNDP's Resident Coordinator/Humanitarian Coordinator chaired the meetings to support the development of the national strategy on IDPs. (IDMC May 2006). UNDP and UNHCR are prominent UN actors working on IDP issues. UNDP has been supporting the

development of the National Policy through a New Approach Support Unit. UNHCR assisted the government in developing the strategy on IDPs, and also supports projects responding to the immediate needs of IDPs and returning IDPs. UNHCR is planning to monitor the return of IDPs to the Gali district of Abkhazia, but has not been able to start the project due to Georgian government's reticence. ICRC developed a database on collective centres throughout Georgia to support the implementation of the national strategy on IDPs.

Observers have pointed out the importance for the government to feel the ownership of this process, and for relevant Ministries to be more involved in the development of the strategy.

In November 2006, the UN Country Team in Georgia formulated the following recommendations in regard to the national strategy:

"Strong leadership from MRA and excellent coordination and cooperation with all relevant parties (including Government agencies, civil society, the private sector, and international organizations) are priorities for the implementation of the strategy. MRA, assisted by the other stakeholders, needs to establish an effective and efficient coordination and monitoring mechanism to guard and ensure that all efforts are harmonized and contributing to achieving the main objectives of the strategy.

- Continue to mobilize, support and build capacity of civil society, continue to strengthen the countrywide IDP platform that contributed to the development of the strategy: IDPs need and want to be heard, talked with, participate and contribute to the process of integration.
- MRA to develop an information and advocacy campaign in order to continue to receive the full backing within Government for implementation of the strategy, as well as inform the general public of the strategy and its benefits for Georgia.
- MRA also needs to rapidly acquire and build the technical capacity in-house to support the implementation of the strategy. International organizations can provide support in this effort.
- Improved access to social services for IDPs (UNCT in Georgia, November 2006).

See also "[The Georgia Self-Reliance Fund \(GRSF\): support to innovative strategies for IDPs' integration \(1999-2003\)](#)" [Internet]

See also Gaganidze Giorgi and Sabadze Eka, *A Study of Effectiveness of the Financial Instruments Applied to Assist Entrepreneurial Activities of Internally Displaced Persons (IDPs) within the UNDP Project "New Approach to IDP Assistance"*, Tbilisi 2004 [link below]

For more information, consult *Assistance Georgia*, a web site administered by Save the Children, which provides information in support of humanitarian and development aid activities in Georgia [Internet: <http://www.assistancegeorgia.org.ge>]

For recommendations by the International community on priority areas requiring attention from the aid community and the government, see *United Nations Country Team in Georgia, 30 Nov 2005*

Georgia: Humanitarian situation and transition to development 2006 - Consolidated Policy Recommendations [Internet]

Response of International Organisations

- Attention from the international community to IDPs has decreased over the past few years despite a continued high level of need

- Some 20 international NGOs and over 5,000 registered local NGOs (100 NGOs of which can be classified as very active) provide assistance and expertise in the following areas: protection, rule of law and human rights, food, agriculture, shelter and non-food items, health, water and sanitation, education, mine clearance, and economic recovery
- Most international NGOs are based in Tbilisi, although their activities cover large parts of the country

A number of international organisations respond to the still widespread humanitarian needs of IDPs in Georgia. A limited number of agencies, such as ICRC and WFP, have continued to provide direct food aid to the most vulnerable IDPs, although they are now looking to phase out their relief efforts. Most humanitarian organisations have increasingly mainstreamed IDPs into programmes benefiting the general population. (UNSC, 24 March 2006). With the development of the state strategy on IDPs, some organisations are looking to focus their support on the implementation of the strategy (UNCT in Georgia, November 2006)

The United Nations Observer Mission in Georgia (UNOMIG) has repaired roads and bridges in order to improve living conditions for IDPs and access for its military patrols (UN SC 13 January 2003, para. 29).

Some 20 international NGOs and over 5,000 registered local NGOs (100 NGOs of which can be classified as very active) provide assistance and expertise in the following areas: protection, rule of law and human rights, food, agriculture, shelter and non-food items, health, water and sanitation, education, mine clearance, and economic recovery. Most international NGOs are based in Tbilisi, although their activities cover large parts of the country. In a strategic partnership, UNHCR, SDC, Norwegian Refugee Council (NRC) and Danish Refugee Council (DRC) support the peace process and confidence building through activities in Gali, focusing on protection, basic shelter, income generation, community development, capacity building and education (UNCT in Georgia, November 2006).

In South Ossetia, the Humanitarian situation cannot be described as critical, but remains precarious and certainly requires more attention by the international community. International aid has markedly decreased in recent years, while the humanitarian situation has actually slightly deteriorated. Most international NGOs have completely closed down their presence in the area. UNHCR, WFP and UNICEF maintain only a low-level presence. International organisations, such as ICRC, UNHCR and NRC have been providing minimum humanitarian assistance to the displaced and returnees within Tskhinvali Region/South Ossetia, such as basic shelter (CHR, 22 March 2006; UNSC, 18 July 2007)

In 2006, the ICRC repaired and upgraded collective centres for IDPs and, with the authorities, created a database to consolidate information on all IDP collective centres throughout Georgia (ICRC, 2007).

The Human Right Office in Abkhazia monitors the human rights situation in Abkhazia and to contribute to the safe return of IDPs and refugees. Its main activities include human rights training, monitoring of human rights development, and dialogue with all relevant actors. The Office also supported the translation of key human rights instruments into the Abkhaz language, including the Guiding Principles on Internal Displacement (UNHCHR 2003 & UN SC 14 October 2002, para. 23).

In Abkhazia and South Ossetia, UNICEF and partners are helping improve access to safe water and delivering essential health and education services to displaced women and children (UNICEF, 2006).

In April 2007, UNSC Resolution 1752 stressed the urgent need to alleviate the plight of refugees and IDPs and the need for a perspective of life in security and dignity in particular for a new generation growing up outside Abkhazia, Georgia, and recalled the right of return for all IDPs to Abkhazia, Georgia (UNSC, 13 April 2007). In August 2006, the UN High Commissioner for Refugees, Antonio Guterres, visited Georgia, including Sukhumi, Gali and Zugdidi. During his visit, he reiterated the principle of the right to return in safety and dignity and stressed that the conflict could not be solved by means of force, and emphasized the importance of confidence-building measures, in particular in the Gali district. In this context, he reiterated the hope that obstacles to the planned verification of returnees to the Gali district would be overcome in the near future (UNSC, 28 September 2006).

For an overview of organisations working with IDPs in Georgia, please see: CALTRIDER, Luc, IDP Assistance Partners, prepared under the New Approach to IDP Assistance Initiative, Tbilisi 2004 [Link below]

Council of Europe

In April 2006, the Parliamentary Assembly of the Council of Europe said it welcomed steps by Georgia to some extent begin local integration of refugees and IDPs. It also stressed that there were still urgent humanitarian needs requiring international aid (CoE, 18 April 2006). In 2007, the CoE welcomed the adoption of a national strategy on IDPs (CoE, 30 March 2007).

In February 2007, Thomas Hammarberg, the Council of Europe's Commissioner for Human Rights, visited Georgia. The Commissioner focused his attention on the human rights situation in the frozen conflicts related to Abkhazia and South Ossetia and then prepared a report to the authorities in Georgia, with specific recommendations about how to improve the human rights situation.

During his mission, the Commissioner visited – among other- accommodation centres for IDPs, and discussed a wide range of issues including the protection of minorities, the availability of education, and the treatment of arrested and detained people. He met with authorities, NGO representatives, IDPs, de facto authorities in Abkhazia and in South Ossetia (CoE, 21 February 2007).

For more information of the Commissioner for HR's meetings in Georgia, please see: Government of Georgia, 15 February 2007, Information on the meeting between the Minister of Foreign Affairs of Georgia and the Council of Europe Commissioner for Human Rights [[Internet](#)]

For more information, see the Council of Europe Information Office, Tbilisi [[Internet](#)]
<http://portal.coe.ge/index.php?lan=en&id=index>

See also: [Implementation of resolution 1415 \(2005\) on the honouring of obligations and commitments by Georgia](#), Council of Europe (COE), Parliamentary Assembly, 15 December 2005 – the resolution mentions the need to “ensure the equal rights of internally displaced persons, along the lines of Assembly Resolution on refugees and displaced persons in Armenia, Azerbaijan and Georgia.”

Donor Response

- Starting from the early 1990s, the international community made a great contribution to the survival and well-being of the Georgian population, among others to assist IDPs
- Humanitarian aid to Abkhazia and South Ossetia has been steadily decreasing since the 1998
- In 2004, widespread donor disenchantment was replaced by a more optimistic approach towards the new Georgian leadership
- In 2006, international donors pledged 10 million dollars for the economic rehabilitation in the zone of the Georgian-South Ossetian conflict

Starting from the early 1990s, the international community made a great contribution to the survival and well-being of the Georgian population, among others to assist IDPs. Overall international assistance exceeded USD 3.7 billion during 1992-2000, with humanitarian assistance a significant part of this assistance (Sumbadze & Tarkhan-Mouravi, July 2003). Humanitarian aid to Abkhazia and South Ossetia has been steadily decreasing since the 1998. In certain parts of Abkhazia, most notably Gali district and the Kodori Valley, the volatile security environment has complicated the provision of humanitarian assistance (OCHA, 20 January 2004). Persistent insecurity in the Gali district and in South Ossetia, and widespread corruption have long deterred donor countries from supporting activities in return areas.

By 2002, however, some major donors had increased their humanitarian funding to Georgia while other players expanded programmes addressing the needs of food insecurity and vulnerable households. In 2004, widespread donor disenchantment was replaced by a more optimistic approach towards the new Georgian leadership (OCHA, 19 November 2004).

The European Commission is the largest donor in the regions of South Ossetia and Abkhazia. In 2006, it started an innovative, three-year, 4 million EURO project to support rehabilitation and reconstruction in the conflict zone so as to create conditions for IDP and refugee return and reintegration to Abkhazia (ICG, 18 January 2007).

For more information on these EC projects, see [[Internet](#)]

While OSCE supports a range of activities in South Ossetia, and UNHCR, the World Food Program (WFP) and UNICEF have low-level presences. Donors have tended to focus on infrastructure and housing rehabilitation but have been wary about development projects, credit schemes, and social services (ICG 26 November 2004).

To view the European Commission 2003-2006 programme for Georgia: [[Internet](#)]

Other major donors to programmes benefiting IDPs include the Swiss Development Agency and USAID.

See: Swiss Agency for Development and Cooperation, January 2003, Swiss Programme for the South Caucasus 2002-2006 [[Internet](#)]

In June 2006, international donors pledged 10 million dollars at a conference hosted by Belgium on economic rehabilitation in the zone of the Georgian-South Ossetian conflict (OSCE, 14 June 2006).

Reference to the Guiding Principles on Internal Displacement

Known references to the Guiding Principles (as of September 2007)

- Reference to the Guiding Principles in the national legislation
- Other References to the Guiding Principles (in chronological order)
- Availability of the Guiding Principles in local languages
- Training on the Guiding Principles (in chronological order)

Reference to the Guiding Principles in the national legislation

National strategy is specifically in accordance with the UN Guiding Principles on Internal Displacement
Source: Georgian Government
Date: 2 February 2007
Documents: State Strategy for Internally Displaced Persons – Persecuted [Internet]

Other References to the Guiding Principles (in chronological order)

Review of national legal framework: Analysis of the extent to which national legislation relevant to the needs of internally displaced persons in Georgia accords with the Guiding Principles is being carried out by the Georgian Young Lawyers Association, with the support of the Brookings Institution project on internal displacement and OSCE/ODIHR.
Source: National/local NGOs
Date: 2000/2001
Documents: • OSCE, Implementation Calendar of ODIHR projects, 14 September 2001 [Internet]

Large dissemination of the Guiding Principles: During his visit to Georgia, the Representative of the UN Secretary-General on Internally Displaced Persons, Dr. Francis Deng, observed that the Guiding Principles had been received most positively and were actively being promoted as a useful tool for protecting the rights of the internally displaced persons. The UN Representative on IDPs was pleased to find that the Principles were well known among government officials, local NGOs and representative of the international community and broadly accepted as a useful basis for dialogue about the situation of the internally displaced in Georgia. The Minister for Foreign Affairs suggested that the GP "should acquire, step by step, an obligatory character." (UN CHR 25 January 2001, para.)
Sources: Georgian government, national/local NGOs, regional organisation, academic institution
Date: 2000
Documents: • Report of the Representative of the UN Secretary-General on IDPs to the Commission of Human Rights, Profiles in displacement: Georgia, 17 January 2001 (see § 6) [Internet]

Regional workshop on internal displacement: To promote more effective solutions to the plight of internally displaced persons in the South Caucasus, a high level gathering was convened on

<p>May 10-12, 2000 in Tbilisi, Georgia at the invitation of the Representative of the UN Secretary-General on Internally Displaced Persons, Dr. Francis M. Deng. Participants included officials of the Governments of Armenia, Azerbaijan and Georgia responsible for displaced populations; NGOs, academic institutions and displaced communities from the three countries; representatives of regional organizations, international organizations, and international NGOs; and international experts.</p> <p>Workshop participants welcomed the GP as a useful restatement of hard international law as well as an instrument providing clear guidance in cases where existing international law contains grey areas.</p>
Sources: Georgian government, national/local NGOs
Date: 10-12 May 2000
Documents:
<ul style="list-style-type: none"> Summary report of the Regional Workshop on Internal Displacement in the South Caucasus, 3 July 2000 [Internet]

<p>Initiative by national NGOs: A group of NGOs at the regional workshop on internal displacement in the South Caucasus (May 2000) made a series of proposals. These included the intention to develop a common framework for disseminating and promoting the Guiding Principles in the South Caucasus; the translation of the GP into local languages and in a format best suited to target groups; the initiation of regional consultations on issues relating to the internally displaced; the creation of country-specific monitoring mechanisms based on the GP to assess the region's displacement situations; the opening of a dialogue among governments, NGOs and international organizations about the issues raised and their potential policy implications.</p>
Sources: National/local NGOs
Date: 10-12 May 2000
Documents:
<ul style="list-style-type: none"> Summary report of the Regional Workshop on Internal Displacement in the South Caucasus, 3 July 2000 (see annex I) [Internet]

Availability of the Guiding Principles in local languages

<p>The Guiding Principles have been translated into the Georgian language by the Georgian Young Lawyers' Association (GYLA), with the support of the United Nations High Commissioner for Refugees (UNHCR), and published by OCHA in the form of a booklet that is being disseminated throughout the country.</p>
Date: 2000
Documents:
<ul style="list-style-type: none"> GP in Georgian [Internet]

<p>The Guiding Principles have been translated into the Abkhaz language by the UN Human Rights Office in Abkhazia.</p>
Sources: Report of the UN Secretary-General on the situation in Abkhazia, Georgia, S/2002/1141, 14 October 2002
Date: 2002
Documents:
<ul style="list-style-type: none"> GP in Abkhaz [Internal link]

Training on the Guiding Principles

NRC is developing a training programme on the rights of IDPs which will benefit IDPs, hostcommunities and partners.

NRC training workshop: The Global IDP Project of the Norwegian Refugee Council (NRC) together with NRC Georgia held a training workshop on the Guiding Principles in Borjomi, Georgia. The workshop was part of a global NRC effort to disseminate and explain the Guiding Principles to representatives of governments, NGOs, the UN agencies and the displaced themselves, in order to ensure better protection and assistance to internally displaced persons. Participants in the NRC workshop were selected from local NGOs and authorities in the Kutaisi and Zugdidi regions, where many of the IDPs currently reside. Many of them were so called "community mobilizers" working directly with the displaced population on rights awareness and self-help issues.

Sources: Local/national NGOs, local and national authorities

Date: 13-15 November 2000

Documents:

- Report of the Workshop on the UN Guiding Principles on Internal Displacement, Borjomi, Georgia, 13-15 November 2000 [Internal link]

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