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**Protracted conflicts in the GUAM area and their
implications for international peace, security
and development**

Status of internally displaced persons and refugees from Abkhazia, Georgia, and the Tskhinvali region/ South Ossetia, Georgia

Report of the Secretary-General

Summary

The present report, submitted pursuant to General Assembly resolution [73/298](#), pertains to the status of internally displaced persons and refugees from Abkhazia, Georgia, and the Tskhinvali region/South Ossetia, Georgia.

The report is focused on, in particular, the right of return of refugees and internally displaced persons and their descendants, the prohibition of forced demographic changes, humanitarian access, the importance of preserving the property rights of refugees and internally displaced persons, and the development of a timetable to ensure the prompt voluntary return of all refugees and internally displaced persons to their homes.



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I. Introduction

1. The present report is submitted pursuant to General Assembly resolution [73/298](#), in which the Assembly requested the Secretary-General to submit to it at its seventy-fourth session a comprehensive report on the implementation of the resolution. The report covers the period from 1 April 2019 to 31 March 2020 and draws on information received from several United Nations entities.

2. In accordance with the provisions of the resolution, the report is focused on: (a) the right of return of all refugees and internally displaced persons and their descendants, regardless of ethnicity; (b) the prohibition of forced demographic changes; (c) humanitarian access; (d) the importance of preserving the property rights of refugees and internally displaced persons; and (e) the development of a timetable to ensure the prompt voluntary return of all refugees and internally displaced persons to their homes.

II. Background

3. Following an escalation of conflict in 1992 and 1993, which caused significant displacement of civilians, armed hostilities between the Georgian and Abkhaz sides ended with the signing of the Agreement on a Ceasefire and Separation of Forces in Moscow on 14 May 1994 (see [S/1994/583](#) and [S/1994/583/Corr.1](#)). That agreement was preceded by the signing of the Quadripartite Agreement on Voluntary Return of Refugees and Displaced Persons in Moscow on 4 April 1994 (see [S/1994/397](#)), in which the parties agreed to cooperate and interact in planning and conducting activities to safeguard and guarantee the safe, secure and dignified return of people who had fled from areas in the conflict zone to the areas of their previous permanent residence. Armed hostilities between the Georgian and South Ossetian sides ended with the signing of the Sochi Agreement of 24 June 1992, which resulted in the establishment of a ceasefire between the Georgian and South Ossetian forces and the creation of the Joint Control Commission and Joint Peacekeeping Forces.

4. Following the hostilities that began in the Tskhinvali region/South Ossetia on 7 and 8 August 2008, the six-point ceasefire agreement of 12 August 2008 and the implementing measures of 8 September 2008 ([S/2008/631](#), paras. 7–15), international discussions were launched in Geneva on 15 October 2008, under the co-chairmanship of the United Nations, the European Union, and the Organization for Security and Cooperation in Europe ([S/2009/69](#), paras. 5–7). According to the agreement, the international discussions were to address the issues of security and stability and the return of internally displaced persons and refugees. By the end of the reporting period, 50 rounds of the Geneva international discussions had been held, with participants meeting in two parallel working groups. The fifty-first round, planned for 31 March and 1 April 2020, was postponed owing to the coronavirus disease (COVID-19) pandemic.

5. The establishment of a special political mission in 2011, with an open-ended mandate, has facilitated the continued engagement of the United Nations in the Geneva process. The United Nations Representative to the Geneva International Discussions and her team are responsible for preparing the sessions of the Geneva international discussions, in consultation with the other two Co-Chairs and their teams.

6. The United Nations Representative and her team are also responsible for preparing, convening and facilitating the periodic meetings of the Joint Incident Prevention and Response Mechanism under United Nations auspices in Gali ([S/2009/254](#), paras. 5 and 6). Regrettably, by the end of the reporting period, except for one ad hoc meeting, which took place on 25 April 2019, neither the regular nor any other ad hoc meetings could be

held owing to disagreement among participants. Similarly, the regular meetings of the Incident Prevention and Response Mechanism in Ergneti, jointly co-chaired by the Organization for Security and Cooperation in Europe and the European Union Monitoring Mission, have also been suspended since August 2019.

7. I continue to be deeply concerned that the conflict prevention responsibility of the Incident Prevention and Response Mechanism in Gali, which is chaired by the United Nations, has not been carried out fully since June 2018, owing to differences between some of the participants on process-related issues. While the United Nations Chair of the Mechanism in Gali has led efforts to maintain dialogue through regular communication with the participants and shuttle diplomacy, those efforts cannot be considered a substitute for the normal functioning of this critical mechanism. I support the ongoing efforts by the United Nations Representative to overcome these challenges, to ensure the resumption and effective operation of the Mechanism in Gali and to return to focus on substantive issues. I strongly emphasize the importance of the Mechanisms in Gali and Ergneti, not only as integral components of the Geneva International Discussion, but as early warning, conflict prevention and dispute resolution platforms, essential in preventing security incidents and addressing humanitarian concerns. The use of the existing hotlines, in particular, is key to prevent incidents and to respond immediately to any security-related occurrences. I therefore expect that the regular meetings of the Mechanisms in Gali and Ergneti will resume without further delay and without any preconditions. I urge all the participants to refrain from politicizing the format-related issues and to take a constructive approach to enable the resumption of the normal functioning of both Mechanisms.

8. During the reporting period, the participants in Working Group I of the Geneva international discussions continued to discuss the security situation on the ground. Although several regrettable incidents occurred during the reporting period, leading to periods of heightened tensions, especially along the South Ossetia administrative boundary line, the overall security situation was assessed as relatively stable. The participants in Working Group I also continued discussions on the key issues of the non-use of force and international security arrangements. It should be noted that international obligations constraining the use or threat of force, without prejudice to the right of individual or collective self-defence, are embodied in the Charter of the United Nations and other international instruments. Regrettably, despite intensive engagement by all participants, it did not prove possible during the reporting period to finalize the draft joint statement on the non-use of force, which has been stalled since the forty-third round, held in March 2018. In the spirit of my appeal for a global ceasefire on 23 March 2020 to confront the universal threat of the COVID-19 pandemic, I strongly encourage all participants in the Geneva international discussions to engage constructively, including on issues related to the concept of the non-use of force and its practical implementation, as well as those related to freedom of movement in all its aspects, to make tangible progress without delay.

9. Working Group II continued to focus on the humanitarian needs of all affected populations, their livelihood, freedom of movement, documentation and access to rights. Although all participants in Working Group II agreed that the issue of the return of internally displaced persons and refugees and related issues should be kept on the agenda, regrettably, there was neither substantial discussion on nor progress made in addressing that important matter in the rounds of the Geneva international discussions. Although all participants repeatedly emphasized the importance of that agenda item, “walkouts” by some of the participants under the agenda item have become the norm. I urge all participants to refrain from such actions and to address their concerns within the context of the Geneva international discussions. I encourage all participants to constructively engage with one another and with the Co-Chairs and co-moderators to find creative and mutually acceptable solutions to unblock the

impasse and to begin discussions related to the rights and voluntary return of internally displaced persons and refugees. On a related matter, there was no sustainable return to areas of origin or habitual residence during the reporting period.

10. In the context of Working Group II, I am pleased to note that, during the reporting period, there were some constructive discussions on, followed by concrete activities to improve, the living conditions in Abkhazia, including with regard to agricultural livelihoods and the fight against plant and forest pests and diseases, and on the issue of archives. Regrettably, during the reporting period prolonged periods of closure of crossing points or tightened crossing regimes had a negative impact on living conditions and access to markets and medical and other essential services. The co-moderators of Working Group II urged all participants to enable crossings and more specifically to allow humanitarian visits to religious sites, including graveyards by relatives of the deceased, across administrative boundary lines.

11. Since the outbreak of the COVID-19 pandemic, I have called for solidarity and cooperation to tackle the collective crisis with a human rights response and particular focus on vulnerable communities. My calls were also echoed by the United Nations High Commissioner for Human Rights and her Office (OHCHR). As in my previous reports, I once again reiterate the need for all relevant stakeholders on the ground to grant unfettered access for OHCHR to assess the human rights protection needs of the affected population, support related mechanisms and contribute to confidence-building. Pursuant to Human Rights Council resolution [40/28](#), the United Nations High Commissioner for Human Rights presented a written report ([A/HRC/42/34](#)) to the Human Rights Council at its forty-second session in September 2019. On 12 March 2020, the secretariat of the Human Rights Council received a draft resolution ([A/HRC/43/L.7](#)), entitled “Cooperation with Georgia”, which, as at the reporting date, had not yet been adopted owing to the suspension of the Council session following the introduction of COVID-19-related measures.

12. Another topic of interest to the participants in the Geneva international discussions was the continued unknown fate of persons who went missing during the conflicts. The understanding shown by participants for the plight of the families of the missing and the commitments made to engage meaningfully on the issue, in particular by supporting the work of the International Committee of the Red Cross, is commendable. Some progress was made during the reporting period in relation to the fate of the missing persons from South Ossetia through the work of a consultant recruited in the framework of the Geneva international discussions and sponsored by the Organization for Security and Cooperation in Europe. While many humanitarian issues remain unresolved, the Geneva international discussions continue to offer an important opportunity for participants to engage on such issues in a constructive manner.

13. To ensure a more informed discussion, special information sessions were conducted in conjunction with the rounds of the Geneva international discussions, allowing participants to benefit from the experience and advice of international experts in various areas. During the reporting period, participants were again given the opportunity to deepen their understanding of issues of public health and of issues related to the non-use of force and international security arrangements. The Co-Chairs and co-moderators benefited from the insight of conflict-affected populations, including displaced women, through the repeated systematic exchange of information on their situation, including a meeting on the role of and challenges faced by displaced women entrepreneurs.

14. During the reporting period, all the participants repeatedly expressed their support for and commitment to the Geneva process. While that is encouraging, making tangible progress on the main substantive issues in both working groups remains crucial to enhancing stability in the region and to addressing the remaining

security, humanitarian and other challenges. In that context, I once again underline my full support for the ongoing efforts by the Co-Chairs to help the participants to revitalize the Geneva process. I emphasize that the primary responsibility for making effective use of the Geneva process lies with the participants. In that context, I reiterate the need for all participants to respect and adhere to the previously agreed ground rules for the Geneva rounds, including the cessation of “walkouts”, in order to help to create a conducive atmosphere for dialogue and practical problem-solving at the Geneva international discussions.

III. Right of return

A. Scope of displacement, return and local integration

15. No major changes were observed during the reporting period with regard to internally displaced persons and refugees exercising their right to return, and no new significant displacements were registered. During the reporting period, the Government of Georgia designated a new authority responsible for the issues related to the internally displaced persons. According to the data provided by the Government of Georgia, as at 31 December 2019, there were 286,216 individuals registered as internally displaced persons in Georgia. The largest numbers were registered in Tbilisi and Zugdidi/Samegrelo. The generational aspects of displacement in the absence of durable solutions are of concern. According to data from the Ministry of Internally Displaced Persons from the Occupied Territories, Labour, Health and Social Affairs, the number of internally displaced persons increased by 23,512 between 2014 and 2019, primarily as a result of births in their families.

16. It is estimated that more than 45,000 people have previously spontaneously returned to their homes in the Gali district in Abkhazia. Regrettably, the authorities in control in Abkhazia continue to deny the return of ethnic Georgian internally displaced persons to their areas of origin or habitual residence that are outside of the Gali, Ochamchira and Tkvarcheli districts. The United Nations and the Co-Chairs have repeatedly sought assurances from the authorities in control with respect to the rights of the returnees to permanent residence, freedom of movement, birth registration and property ownership. More generally, during the reporting period, the United Nations continued to call for returnees’ access to political rights, equal protection before the law, social security, health care, work and employment, education, freedom of thought, conscience and expression and cultural life.

17. It is important to note that the concerns regarding limitations on basic rights, including freedom of movement, increased following the signing in 2015 of two so-called laws: the “Law on the Legal Status of Foreigners in Abkhazia” and the “Law on Procedures of Exit from the Republic of Abkhazia and the Entry into the Republic of Abkhazia”. Similar new “laws” were also introduced by the authorities in control in South Ossetia. The “laws” provide for the issuance of documentation to the population who are thereby defined as “foreign” or “stateless”. I urge the authorities in control in Abkhazia to take all measures necessary to facilitate freedom of movement and access to rights and services for the ethnic Georgian returnee population in the eastern part of Abkhazia.

18. In December 2016, the authorities in control in Abkhazia amended the “Law on the Legal Status of Foreigners in Abkhazia” by introducing a “foreign resident permit”, which would help ethnic Georgians and others living in Abkhazia to exercise their rights more easily. Pending the introduction of the “foreign resident permit”, in 2016, the authorities in control in Abkhazia issued temporary identification documents, known as “Form No. 9”, to some 12,000 ethnic Georgians, thereby

facilitating their freedom of movement and access to some basic services. Owing to the reluctance of the returnee population to declare themselves “foreigners” and procedural delays in issuing “foreign resident permits”, the issuance of “Form No. 9” continued in 2020 despite the absence of a relevant legal framework. The issuance of “Form No. 9” was practically suspended owing to the closure of the administrative boundary line on 14 March 2020 to prevent the spread of COVID-19 in Abkhazia.

19. The introduction of the “foreign resident permit” remains problematic for several reasons. The “foreign resident permit” does not grant its holder the full range of political, housing, land and property rights. In addition, the restrictive eligibility requirements exclude a considerable number of people from obtaining the “foreign resident permit”, including potential future returnees, while grounds for rejection are broad and open to interpretation.

20. The primary remaining challenges in terms of protection and reintegration relate to documentation, freedom of movement, shelter rehabilitation needs, limited livelihood opportunities, substandard water, sanitation and hygiene conditions and poor health facilities. Since 1 January 2019, the authorities in control in Abkhazia have banned holders of the old Abkhaz “passports” from crossing the administrative boundary line. Individuals holding such “passports” had to apply for the new 2016 version of the de facto Abkhaz “passport” or a “foreign resident permit”. Following two sets of amendments to the “Law on citizenship”, in 2013 and 2018, a majority of ethnic Georgians in eastern Abkhazia no longer satisfy the criteria for the acquisition of the 2016 version of the de facto Abkhaz “passport” and thus their applications have not always been successful. The repeated changes in policies related to documentation and challenges experienced in obtaining documentation to enable crossings, as well as the repeated closure of crossing points, have resulted in concerns among the affected population about future developments and the impact that they may have on the ability to stay in contact with family, maintain access to markets and benefit from medical and other services. I urge the relevant actors to develop a long-term vision on the status of the ethnic Georgian returnee population that avoids any discriminatory treatment or curtailment of rights.

21. During the reporting period, the authorities in control of South Ossetia continued to allow visits to the Akhagori district for those displaced from that area and their relatives. They also issued and renewed crossing documents (*propusk*) for those deemed eligible. A number of displaced persons are still deprived of the documentation necessary for crossing. In addition, as a result of the establishment of a “customs clearance post” at the crossing point, crossing the administrative boundary line to the Akhagori district has become more difficult, in particular for traders. The temporary closure of the crossing points in early 2019, and again during the second half of the year starting in August, had a negative impact on the population of South Ossetia, including on the ability to access emergency medical and health-care-related services.

22. Since the conflict in August 2008, the United Nations has regrettably lacked operational access to South Ossetia, apart from a humanitarian assessment mission conducted by UNHCR in August 2016. It is critical that sustained humanitarian access be discussed with and agreed by both the authorities in control and the Government of Georgia. I encourage the relevant stakeholders to actively facilitate unhindered regular access to South Ossetia to allow humanitarian and development agencies to provide assistance to the population and support the particularly vulnerable among those displaced.

23. I also encourage the establishment of a dialogue between the authorities in control in South Ossetia and humanitarian organizations about the possibility for the latter to resume visits to the region to address the humanitarian needs of the

population, particularly in view of the COVID-19 crisis and its potentially devastating consequences for livelihoods and community resilience.

24. UNHCR remains ready to resume consultations on the return of displaced persons to Abkhazia and South Ossetia with a view to securing the safe and voluntary nature of any such movement. Moreover, further steps are needed to ease the crossing procedures to allow individuals to maintain contact and follow developments in their home communities, as well as to make a free and informed choice as to whether to return or to integrate in areas of displacement or elsewhere.

25. I note that, in March 2020, the authorities in control in Abkhazia imposed temporary restrictions at the main crossing points with the Tbilisi-administered territory of Georgia to prevent the possible spread of COVID-19. The closures had a significant impact on the lives and livelihoods of the people affected, including those with chronic medical conditions. I note, however, that, despite the closure since 14 March 2020 as a safety measure to prevent the spread of COVID-19, crossings to gain access to emergency health care were allowed and access for United Nations and international representatives was supported in order to bring urgently needed medical supplies to Abkhazia. I encourage all relevant actors to continue to expand cooperation in the context of COVID-19 prevention and response, including in relation to important areas such as communication with communities, protection and assistance for the most vulnerable, water and sanitation, protection and maintenance of basic livelihood activities, as well as in the health sector. I call upon all relevant actors to avoid politicization of these humanitarian issues and to ensure an enabling environment for close cooperation with and support by the World Health Organization and other relevant United Nations entities, including through the use of the Incident Prevention and Response Mechanism in Gali and its hotline, to address such issues. Furthermore, I call upon all concerned to show humanitarian consideration for local residents engaging in traditional livelihood activities near and across the administrative boundary lines.

26. Regrettably, the so-called “borderization” measures along the administrative boundary lines with both South Ossetia and Abkhazia continued throughout the reporting period. Further obstacles to the freedom of movement continued to be observed along the administrative boundary lines, including so-called “state border signs”, watch posts and surveillance equipment. Increased surveillance by border guards of the Russian Federation and strict detention practices were also reported. I am concerned about the continued detention of the civilian population residing along the Abkhazia and South Ossetia administrative boundary lines for so-called “illegal crossing” and, in particular, about the reported death in custody of Georgian nationals. In this regard, I call for full, transparent and independent investigations into all such incidents in order to hold those responsible accountable and avoid their reoccurrence.

27. Freedom of movement continued to be curtailed. The lack of proper documents, continuing “borderization” measures and the earlier closure of four of the six crossing points in 2016 and 2017 further restricted the ability of some in Abkhazia – in particular those living in the area adjacent to the crossing points – to cross the administrative boundary line. Those with documentation permitting them to cross the administrative boundary line now must travel long distances to cross. The closure of the Nabakevi/Nabakia and Otobaia-2/Bgoura crossings continues to negatively affect the movement across the administrative boundary line, social and family relations, livelihood opportunities, and the trade and labour activities of the returnee population in the eastern part of Abkhazia. I reiterate my calls for the reopening of the closed crossing points and for the participants in the Geneva international discussions to refrain from any unilateral action that may adversely impact the humanitarian situation of the affected populations and their access to rights and services.

28. The inability to have free access to agricultural fields, orchards, traditional grazing grounds, forests and markets has reduced income and employment opportunities and further limited communication and relations between families living on opposite sides. The fencing measures along the administrative boundary lines have exacerbated the already difficult living conditions of those living on both sides, including many internally displaced persons. To mitigate the most harmful impact on the survival mechanisms and livelihoods of the population, the “Interim Governmental Commission Addressing the Needs of Affected Communities in Villages along the Dividing Line” established by the Government of Georgia continues to mobilize State funds for investment in villages affected by fencing to develop infrastructure for irrigation and drinking water, road connections, education, agriculture, shelter, heating and health.

29. While internally displaced persons retain the right to return, the Government of Georgia continued its efforts to provide those individuals with durable housing solutions and access to livelihood opportunities. I commend the continued efforts of the Government of Georgia to support internally displaced persons, including through the provision of housing and other assistance, as laid down in the successive action plans for the implementation of the State strategy on internally displaced persons. However and unfortunately, by the end of 2019, only 45 per cent of all households of internally displaced persons had been provided with a durable housing solution. There remains an urgent need to continue to improve the living conditions of internally displaced persons in both collective centres and private accommodation. In addition, there is a continuing need for sustained efforts to provide internally displaced persons with access to employment and livelihoods.

30. Thanks to the efforts of the Government of Georgia and its international partners, the level of dissatisfaction of internally displaced persons regarding their housing has decreased. That was achieved, in part, through improved legislation regulating the provision of housing in urban and economic centres rather than in isolated rural areas. However, there are still concerns about the selection process of recipients to ensure access for those most in need. The Internally Displaced Persons, Ecomigrants and Livelihoods Agency, under the Ministry of Internally Displaced Persons from the Occupied Territories, Labour Health and Social Affairs continued to run a hotline for internally displaced persons. Other efforts, such as continued privatization and rural housing projects, which combine the provision of shelter with agricultural land, have expanded the housing options. However, considering the total needs, the existing durable housing solutions remain limited.

31. Given the scale of the displacement, substantial challenges concerning the integration of internally displaced persons remain. According to the Government of Georgia, more than \$800 million would still be required to meet their remaining housing needs. That amount is the estimated cost of providing the remaining 50,000 out of 90,000 families with various types of accommodation. While the Government of Georgia undertakes efforts to provide alternative accommodation for those living in dilapidated collective centres, significant needs remain. The living conditions of those residing in private accommodation are often equally inadequate. Even though those persons often own the property, the lack of economic opportunities sometimes forces them to move back to substandard housing conditions in collective centres in order to qualify for continued assistance.

32. Other socioeconomic aspects of integration, such as sustainable livelihoods and access to quality educational, medical and social services, should also be addressed. While the United Nations, together with donors and other stakeholders, continues to assist the Government of Georgia in protecting and ensuring the rights of the affected populations, funding levels for humanitarian projects in Georgia remain limited. Moreover, further progress in integrating and improving the living conditions of the

internally displaced is becoming less a question of humanitarian response and more a matter of integrating their socioeconomic needs into municipal, regional and national development strategies and budgets.

33. I welcome the decision of the Government of Georgia to base assistance to internally displaced persons on needs and vulnerabilities, using a scoring system, rather than on registration in a database. This approach is in line with the recommendations adopted by the Special Rapporteur on the human rights of internally displaced persons during his visit to Georgia in September 2016. I urge the Government of Georgia to follow up on those recommendations, including to implement a fully consultative process around the social assistance reform and to allocate sufficient State budget resources to development efforts that include the needs of the internally displaced. I welcome initiatives by the donor community to provide the funding and support necessary for such displacement-sensitive assistance and development initiatives in Georgia.

34. While progress has been made in the reintegration of the ethnic Georgian returnee population, important needs and protection challenges remain. Those who spontaneously returned to Abkhazia are still officially considered internally displaced persons by the Government of Georgia and are therefore eligible for financial and other assistance. The assistance ensured by the Government of Georgia should not prevent the authorities in control in Abkhazia from providing returnees with the proper documentation and full access to rights and services.

35. A variety of infrastructure and livelihood initiatives financed by the international community during the reporting period had a positive impact on the humanitarian and security situation of the population in the Gali district and on the reintegration prospects of returnees.

36. Additional protection and reintegration challenges remain in the eastern parts of Abkhazia. While generally expressing appreciation for the assistance received, the local population continues to report a sense of insecurity, particularly about the future. Previous challenges with obtaining necessary documentation persist. The remaining specific protection concerns expressed by the returnees relate to: (a) freedom of movement; (b) documentation required to exercise freedom of movement, enjoy rights and gain access to services; (c) access to education, including higher education, and, in particular, access to mother-tongue-based multilingual education; (d) secure access to quality health care (on both sides of the administrative boundary line); (e) the urgent need to improve water, sanitary and hygiene facilities in the effort to prevent the spread of infectious diseases and viruses, such as COVID-19; (f) incidents of discrimination, including those related to documentation and taxes; and (g) lack of effective protection against crime and sexual and gender-based violence.

B. Institutional framework and operational measures

37. The local population in the Gali district, including returnees, continued to express concern regarding restrictions placed on the freedom of movement, the impact of such restrictions on regular contact with family members and friends residing on the other side of the Inguri River, and access to social infrastructure, including medical facilities and markets in the Zugdidi district. The development and implementation of a crossing regime that allays those concerns remain crucial for improving the living conditions of the local population, advancing the reintegration of returnees and preventing renewed displacement. In that context, it is essential to identify and implement solutions for the provision of documentation in conformity with international law, including international human rights law, and the principles governing the prevention and reduction of statelessness. I urge all relevant actors to

take pragmatic steps to solve this recurring problem without delay and allow children, in particular, to cross at convenient and safe locations.

38. There is a complex nexus between the individual right to voluntary, safe and dignified return and the establishment of the conditions conducive to such return. The individual's right to return, in the case of an internally displaced person, derives from the individual's right to freedom of movement as stipulated in international human rights instruments. Return is both a human right and a humanitarian issue and therefore cannot be directly linked to political questions or the conclusion of peace agreements. It must be addressed irrespective of any solution to the underlying conflict. At the same time, it is primarily for the individual to assess the risks and make an informed choice as to whether to return at a given time. In doing so, displaced persons must be able to take into account all factors that could affect their safety, dignity and ability to exercise basic human rights.

39. The United Nations engagement in assisting States in the search for durable solutions for displaced populations is based on the understanding that voluntary return in safety and dignity is one durable solution, the other two being local integration and resettlement. The role of the United Nations in the facilitation, design and implementation of organized return operations is guided by the need to avoid causing harm or contributing to the exposure of persons of concern to possible human rights violations: any returns must be voluntary and conducted in safety and dignity. Therefore, activities related to organized returns must be based on a careful risk assessment, taking into consideration the existing security and human rights conditions and concerns, access to livelihoods and basic services and the voluntary nature of return. Unhindered humanitarian access, and, consequently, the ability of the United Nations to effectively monitor all those factors, is another important aspect.

40. In contrast to South Ossetia, Abkhazia continued to benefit from international humanitarian and development assistance. The Abkhaz strategic partnership framework, established among humanitarian and development partners and coordinated by the United Nations, expanded its reach during the reporting period. In addition to promoting greater confidence-building and providing humanitarian assistance to the most vulnerable population, it also aimed at achieving durable solutions for returnees through integrated protection and assistance activities and the promotion of their rights in the Gali, Ochamchira and Tkvarcheli districts.

41. For the United Nations system, an initial, singular focus on returnees continued to be complemented by strategies and actions targeting all vulnerable populations in Abkhazia. Such efforts bring together the following strategic partners, under the coordination of the United Nations Resident Coordinator: UNHCR; the United Nations Development Programme (UNDP); the United Nations Children's Fund (UNICEF); the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women); the Food and Agriculture Organization of the United Nations; the United Nations Population Fund; international non-governmental organizations (NGOs), namely, Action against Hunger, the Danish Refugee Council and World Vision International; and additional humanitarian observers. Collectively, support is provided in multiple sectors: health, including sexual and reproductive health; livelihoods, agriculture and economic recovery; housing assistance and community infrastructure; education, youth and social services; the environment; protection services, including legal assistance and prevention of and response to sexual and gender-based violence; and support for civil society.

42. UNHCR, in partnership with local and international NGOs and authorities in control, continued to address challenges facing returnees and host communities associated with access to and quality of services, by facilitating protection and assistance services to the most vulnerable families, including through legal advice

and counselling in relation to documentation issues and access to rights and services. UNHCR provided employment opportunities for young and female returnees, including survivors of sexual and gender-based violence, and free transportation for a number of schoolchildren and vulnerable persons among the daily commuters over the Inguri Bridge. It also undertook the rehabilitation of schools and other small infrastructure projects and provided support to vulnerable farmer households by promoting crop diversity and modern farming techniques.

43. To address the consequences of poor harvests and substandard agricultural practices, UNHCR and partners provided vulnerable households in eastern Abkhazia with equipment and training to help them to diversify and modernize their farming activity. In 2019, a UNHCR cash-based intervention programme provided assistance to 615 vulnerable persons to meet their immediate basic needs. Other people identified as vulnerable but economically active were referred to partners implementing livelihood support projects. UNHCR and partners also sought to strengthen the social protection system and create a more conducive environment for community-based local support initiatives.

44. During the reporting period, UNDP continued to provide support to the rural population, including farmers and through community-led local development. To provide schoolchildren with greater connectivity and access to learning resources, UNDP continued to equip rural schools with information and communications technology equipment and Internet access, and to help to improve foreign language teaching. Responding to the worrying prevalence of infectious diseases in Abkhazia, UNDP worked to improve health-care services for patients with tuberculosis, hepatitis B and C, HIV/AIDS and sexually transmitted infections; operated a mobile medical laboratory; and continued its sequenced renovation of tuberculosis clinics, beginning the construction of a clinic in Gali district. Under the Sustainable Development Goal framework, UNDP continued to implement the Civil Society Support Programme, focusing on inclusiveness, equality, tolerance and respect for diversity.

45. In 2019, UNICEF continued to support improved access for the most vulnerable children, including children with disabilities, to health, child protection and education-related services and expanded its social work programme. UNICEF also continued its training programme on student-centred teaching and mother-tongue-based multilingual education methodologies and life skills education. Schoolchildren of ethnic Georgian descent should be able to benefit from instruction in their mother tongue if they so wish. Access to such instruction should be facilitated within a reasonable travel time and by way of the shortest possible crossing of the administrative boundary line. In the health sector, UNICEF promoted the immunization of children and the training of health-care workers on mother and child health-care practices. UNICEF is also supporting planning for COVID-19 response activities in Abkhazia.

46. UN-Women continued to regularly organize platforms for information-sharing between women's organizations, internally displaced and conflict-affected women and women living adjacent to the administrative boundary lines, and the Georgian participants of the Geneva international discussions and the Incident Prevention and Response Mechanism in Gali. UN-Women commissioned a study on the meaningful participation of women in conflict prevention and resolution. The findings will inform the work of the Co-Chairs of the Geneva international discussions on possible ways to make the participation of women in peace processes and at all levels more inclusive.

47. The issue of freedom of movement across the administrative boundary line has security, humanitarian and human rights dimensions and remains of the utmost importance to the local population. Developments during the reporting period were marked by two trends: enhanced control and limitations and further formalization of

the documentation conditioning the ability to cross the administrative boundary line. I urge the authorities in control in Abkhazia to provide additional transport options for those living further away to facilitate faster crossings across the Inguri Bridge. I also urge the authorities to facilitate the continued service of two shuttle buses operated by UNHCR traversing the Inguri Bridge.

48. Persons in need should be able to gain access to medical attention wherever it can be offered as quickly as possible and at the highest possible standard. I call upon all stakeholders to exercise maximum care and flexibility in that regard and to improve the conditions for the crossings, including through the introduction of a fast-track procedure for vulnerable persons. I call upon the relevant authorities to ease the crossing procedure, in cases in which such a procedure exists, for family visits, notably in the case of medical or other family emergencies, imminent death or funerals.

IV. Prohibition of forced demographic changes

49. Relevant international human rights standards should guide managed population movements, including evacuations, and strictly limit forced movements, including those that result in demographic change. The principles and provisions of international law mentioned in my previous reports, as well as non-refoulement obligations governing the protection of refugees and others who flee their homes as a result of or in order to avoid the effects of armed conflict and situations of generalized violence, remain fully applicable. While no new displacement was observed during the reporting period, the demographic consequences of earlier displacement remain.

V. Humanitarian access

A. International legal foundations governing humanitarian access

50. The need to establish and maintain humanitarian space is essential in order to effectively meet the humanitarian needs of conflict-affected and displaced populations, to mitigate suffering and to enable United Nations entities to exercise their mandates. All sides must respect their obligations and act in good faith to fully implement the principle of humanitarian access, which is rooted in international humanitarian and human rights law. The free passage of relief goods and the facilitation of humanitarian operations are correlated with the achievement of the right to life, the right to a decent standard of living and the right to protection against discrimination. Building on the practice of the United Nations human rights treaty bodies, there is growing acceptance that the obligation of States to respect, protect and fulfil human rights includes an obligation to invite, accept and facilitate international (humanitarian) assistance, in particular, if the State's resource capacities or other obstacles, such as its lack of effective control over parts of the territory, limit its capacity to effectively address all humanitarian needs.

51. In the context of international conflict situations, international humanitarian law requires the establishment of conditions for the rapid and unimpeded passage of all relief consignments, equipment and personnel. In non-international conflicts, States must organize relief actions for the civilian population, without any adverse distinction. The universal acceptance of those rules has established, as a norm of customary law in both international and non-international conflicts, that all concerned must allow and facilitate the rapid and unimpeded passage of humanitarian relief for civilians in need. Arrangements pertaining to relief personnel must be simplified to the greatest extent possible, and I therefore encourage measures to enable and facilitate such efforts.

B. Operational challenges

52. The United Nations continues to support all initiatives aimed at enhancing people-to-people contact and improving the day-to-day life of residents on both sides of the “dividing lines”. In the spirit of constructive engagement, I encourage all relevant actors to facilitate and enable such efforts, allowing for unhindered, sustainable humanitarian access and service delivery by humanitarian partners and permitting the conduct of financial and administrative transactions by those partners in the territories not under the control of the Government of Georgia.

53. The United Nations agencies, funds and programmes have been able to implement protection, humanitarian assistance, recovery and development activities in Abkhazia. The ongoing humanitarian needs notwithstanding, it is widely recognized, including by the international donor community, that needs have increasingly shifted from humanitarian assistance towards early recovery activities and the delivery of more sustainable support. The United Nations Resident Coordinator is facilitating an inclusive dialogue on that matter among international donors and with relevant authorities.

54. On 30 January 2015, the authorities in control in Abkhazia formally communicated their agreement to allow the work of all international organizations and NGOs within the Gali, Ochamchira and Tkvarcheli districts and United Nations agencies without geographical restrictions. I urge the lifting of all restrictions to enable those entities to better contribute to addressing the needs of the most vulnerable in all areas of Abkhazia, in line with international standards for the work of international agencies. Such an approach should continue to be implemented in a consistent manner.

55. Since October 2019, the authorities in control in Abkhazia have introduced procedures requiring the stamping of passports of the staff of international organizations and NGOs. That requirement has continued to severely limit the operational flexibility of United Nations agencies and international NGOs in Abkhazia, adding to existing operational difficulties. Furthermore, in the first quarter of 2020, the authorities in control in Abkhazia and South Ossetia closed all crossing points to prevent the spread of COVID-19. Despite their public health justifications, those closures continue to adversely impact the overall well-being of the population on both sides of the administrative boundary lines, with a particularly marked impact on older persons and other vulnerable communities. I call upon all relevant actors to ensure unimpeded access for all categories of personnel of all United Nations agencies and international humanitarian NGOs working to support local populations.

56. Given the need for a proper transition from humanitarian assistance through recovery to longer-term sustainable development, it is important to ensure that the remaining humanitarian needs and the contingency considerations are fully met. In that regard, I reiterate my call for the respect of the international principles governing humanitarian access, including unhindered movement of personnel of international organizations, and for flexibility, practical approaches and measures to be taken by relevant stakeholders. Consultations must also continue among all stakeholders in order to ensure the flow of up-to-date information on the humanitarian needs of the population and to improve coordination.

VI. Property rights of refugees and internally displaced persons

57. Property-related issues remained within the scope of Working Group II of the Geneva international discussions. Obstacles to resolving those issues, as well as my call upon all concerned to adhere to the principles on housing and property restitution for refugees and displaced persons (referred to as the “Pinheiro principles”) and the

underlying norms of international law, including international human rights law, as outlined in my report of 20 May 2013 (A/67/869, paras. 58–60), remain valid. The Special Rapporteur on the human rights of internally displaced persons noted during his visit in September 2016 that internally displaced persons were entitled to the restitution of, or compensation for, their lost property, regardless of whether they had chosen to return, integrate into their area of displacement or relocate elsewhere. I encourage the participants in the Geneva international discussions to facilitate an expert session to address housing, land and property rights within the context of the international discussions.

VII. Timetable for the voluntary return of all refugees and internally displaced persons and work towards durable solutions

58. No agreement or timetable for the voluntary return of all refugees and internally displaced persons has been developed, given the prevailing environment and continued discussions among all concerned. Working Group II of the Geneva international discussions could not deal with the issue of voluntary return owing to the continued unwillingness of some participants to discuss the matter. I reiterate that, as long as the conditions for organized return in safety and dignity are not fulfilled and the mechanisms for property restitution are not established, the design of a comprehensive timetable or road map for returns must remain an open matter to be addressed. Those challenges should not prevent all concerned from working towards identifying durable solutions for all displaced persons, giving particular attention to the implementation of the right of return. I reiterate my call upon all participants in the Geneva international discussions to engage constructively on the issue, in accordance with international law and relevant principles, and to abandon the practice of walking out when the issue of the voluntary return of refugees and internally displaced persons is tabled by Working Group II.

59. In the absence of conditions conducive to organized return and of appropriate implementation mechanisms, the United Nations agencies, funds and programmes will continue to concentrate their efforts on providing the conflict-affected populations, including returnees or persons in the process of returning, with assistance and support for their reintegration. They remain committed to proceeding at the appropriate time, in consultation and cooperation with all concerned, with the development of a timetable or road map addressing all the components outlined in my report (A/63/950).

VIII. Conclusion

60. I welcome the continued publicly expressed recognition by all relevant stakeholders and participants of the vital importance of the Geneva international discussions as a unique platform for participants to discuss security and stability and humanitarian issues, including as related to the return of refugees and internally displaced persons. I have also noted the commitments by all relevant stakeholders and participants in the Geneva international discussions to the necessity of ensuring the effective functioning of this important process, including the Incident Prevention and Response Mechanisms in Gali and Ergneti, and their support for the ongoing efforts by the Co-Chairs of the Geneva international discussions to help the participants to revitalize the process. While I am encouraged by those commitments, I remain seriously concerned by the lack of progress on substantive issues on the agenda of the Geneva international discussions, including discussions on issues concerning internally displaced persons and returnees, the non-use of force and international security arrangements, as well as other important issues.

61. Regrettably, the reporting period proved to be a challenging year for the Geneva international discussions owing to renewed security tensions on the ground, the resulting adverse effect on livelihoods and the impact of the COVID-19 pandemic. Key security, humanitarian, human rights and development challenges remain unresolved, hampering the creation of conditions conducive to the return of displaced populations. I remain concerned by the recent security challenges prompted by continued negative trends related to the so-called “borderization”, restrictions on the freedom of movement and other unilateral actions. Those actions continue to inhibit the possible return of internally displaced persons, as well as the ability of humanitarian and developmental actors to operate freely, especially in South Ossetia. I am also concerned about the continued imposition of restrictions on crossing points along the “dividing lines” for an extended period. Those restrictions continue to place additional burdens on the conflict-affected population, including women, depriving them of access to livelihoods and medical and other services. I hope that all impediments to mandate implementation, including the new passport stamping requirements for United Nations and other international representatives to access Abkhazia, can be lifted as soon as possible.

62. I am especially concerned about the situation in the context of the unprecedented threat to public health and human security posed by the spread of COVID-19. This is a crisis that has wide-ranging implications, particularly for the most vulnerable members of society. I reiterate my appeal for a global ceasefire and join the Co-Chairs of the Geneva international discussions in calling upon all participants to put aside mistrust and animosity, avoid antagonistic rhetoric, set aside differences and work together to protect the most vulnerable. I commend the joint statement by the Co-Chairs of 31 March 2020 and echo their call, urging all participants in the Geneva international discussions to refrain from any rhetoric or measures that would have an adverse impact on the security situation and well-being of the population and instead to cooperate on efforts to provide medical and humanitarian support to those affected by the COVID-19 pandemic.

63. I reiterate my call upon all participants in the Geneva international discussions and all relevant stakeholders to demonstrate greater political will and to undertake practical and constructive efforts to help to revitalize this important process. I welcome the proactive efforts of the Co-Chairs to identify ways by which the participants can address outstanding issues, and I suggest that they continue their engagement with all the participants in that regard, despite the operational constraints in the COVID-19 context. I urge all relevant stakeholders to step up efforts to make tangible progress on key security and humanitarian issues on the agenda of the Geneva international discussions, to enable the improvement of the security and human rights situation and to meet the pressing humanitarian concerns of the affected population, including internally displaced persons.

64. I regret the unfortunate cases of detention. In that context, the suspension of the Incident Prevention and Response Mechanisms in Gali and Ergneti since June 2018 and August 2019, respectively, remains a source of major concern. Those Mechanisms are endowed with a critical preventive and response function, which remains indispensable to the maintenance of stability and human security and the promotion of trust between the participants. To ensure the effective functioning of the Geneva international discussions, it is essential that the Mechanisms in Gali and Ergneti resume their normal functioning without delay. I welcome the call by the Co-Chairs of the Geneva international discussions for all relevant stakeholders to renew their commitment to uphold and use these well-established and critically important platforms to address any outstanding issues related to the most recent and past incidents.

65. I once again strongly urge all participants to uphold and deepen their engagement in the Geneva international discussions, including the Incident Prevention and

Response Mechanisms in Gali and Ergneti, to preserve and expand humanitarian space and the respect for human rights and to refrain from any unilateral actions that may have an adverse impact on the overall peace and security situation and the humanitarian and development situation of affected populations, and undermine the work of the Geneva international discussions. I also urge donors to continue and strengthen their support for the multifaceted humanitarian, development, conflict prevention, dialogue, confidence-building and peacebuilding efforts.

66. I encourage further concrete steps to promote greater engagement of the populations living in Abkhazia and South Ossetia. I appreciate the support of the Co-Chairs of the Geneva international discussions for some collaborative approaches that have already been applied in response to the COVID-19 pandemic and encourage all participants to cooperate and engage more. The United Nations reiterates its readiness to support such efforts as needed.

67. Ultimately, the responsibility for the effective functioning of the Geneva international discussions, including in relation to addressing peace and security and humanitarian-related issues, remains with the participants. More than 11 years after the inception of the Geneva international discussions, it is in the interest of the conflict-affected population that the participants and relevant stakeholders not allow the process to become more protracted but rather make full use of this unique platform to achieve meaningful progress on all issues of concern. The United Nations, including through the United Nations country team on the ground and the United Nations Representative to the Geneva International Discussions in her role as Co-Chair of the Geneva international discussions, working in close partnership with her fellow Co-Chairs, stands ready to continue to support such efforts, provided that there is a clear and demonstrable willingness by the relevant stakeholders to move forward on the issues for the benefit of the affected population.