



EMBASSY OF GEORGIA TO THE REPUBLIC OF AUSTRIA
PERMANENT MISSION OF GEORGIA TO THE OSCE AND OTHER
INTERNATIONAL ORGANIZATIONS IN VIENNA

S t a t e m e n t

of the Delegation of Georgia

at the Supplementary Human Dimension Meeting on

Freedom of Movement and Human contacts

Vienna, April 25-26, 2013

Mr. Moderator,

I would like to join other speakers in thanking the Ukrainian Chairmanship for organizing the Supplementary Human Dimension Meeting on Freedom of Movement and Human contacts.

The full compliance with our commitments with regard to the protection of fundamental rights and freedoms is a precondition for achieving a truly comprehensive, co-operative and indivisible security community throughout the OSCE area, free of dividing lines. The right to move freely across and within state borders is one of the fundamental rights which need to be upheld and protected. Freedom of movement and Human contacts are important elements for advancing the security related work of the OSCE across all three dimensions. If properly utilized they may play important role in early warning, conflict resolution and reconciliation, they also may have an important confidence-building impact.

Needless to reiterate the strategic importance which we attach to the perspective of visa free regime with the EU. We are actively engaged in the

ongoing visa dialogue with the EU that was launched in June 4, 2012. Since February 2013 we are working in accordance to the Visa Liberalisation Action Plan. Our objective is to conclude the first (legislative) phase of the AP and move to the second phase before the Vilnius Summit.

Georgia remains strongly committed to its policy of promoting economic, cultural and human relations. As a concrete manifestation of this policy Georgia lifted visa requirements for citizens of 118 countries. Within the same framework, in 2012, Georgia unilaterally lifted visa requirements for all citizens of the Russian Federation, as well.

While we recognize the value of visa free regimes and indeed, continue to make progress in this direction, in the country we still face alarming situation in terms of freedom of movement and facilitating human contacts across the occupation line in Georgia's regions of Abkhazia and Tskhinvali. The Government of Georgia is extremely concerned with the imposition of severe restrictions on the freedom of movement that affects everyday life of people residing within and in the vicinity of the occupied regions, their rights to education, access to healthcare and other social and economic rights. Since January 2013, Russian military forces, as well as Sokhumi and Tskhinvali regimes hardened the regulations for crossing the ABLs. Only holders of the so called "Abkhaz" passports or foreign passports are allowed to cross the occupation line. Both in Abkhazia and Tskhinvali regions of Georgia, the practice of illegal detentions under charges of illegal crossing of the so called "state border" continues to persist. Unfortunately, neither vulnerable individuals seeking urgent medical assistance, nor minor children are safeguarded from the additional impediments imposed on the freedom of movement. Only in November-December 2013, four persons died en route to hospital, after they were refused passage through administrative boundary line with Abkhazia region by the Russian troops. Since April 15th, Russian military troops did not allow schoolchildren of Georgian ethnicity to cross the occupation line to attend classes in Zugdidi region, in Pakhulani.

The so-called "borderisation" process has been intensified recently all along the occupation line of the Tskhinvali region. In the villages of Gori

and Kareli districts, barbed wires are being intensively installed dividing local residents' houses and yards, causing problems for the local residents in terms of freedom of movement and conducting the normal agricultural works. As a result, several families had to leave their houses retained within established barbed wires. By now, the total length of barbed wires along the Tskinali occupation line reaches 18 km, whereas the process of arrangement is still in progress.

By bringing to your attention these unfortunate developments that have place in my country, I would like to emphasize the necessity of international commitment on the ground. The new Government of Georgia aims to engage the international organizations in finding a solution to the concrete issues spanning from freedom of movement to addressing humanitarian needs and supporting durable livelihoods across the occupation line. We are proposing to draw a clear distinction between politics and the fundamental right and freedom of people to move freely across the dividing lines, and establish and strengthen human contacts. Our position is clear: human rights, humanitarian needs cannot and should not be exploited and instrumentalized for political purposes.

Ladies and Gentlemen,

The OSCE aquis with regards to freedom of movement for vulnerable groups such as IDPs and refugees definitely needs to be systematized. The Charter of Paris for a New Europe is the earliest OSCE document which indicates that, without discrimination, every individual has the right to freedom of movement. The Stockholm document of 1992 stresses the need for fulfillment of basic human needs of displaced persons.

The Maastricht document of 2003 takes into account the UN Guiding Principles on Internal Displacement as a useful framework for the work of the OSCE and the participating States in dealing with internal displacement. However, the latter document, which became a reference document for number of UN GA resolutions and resolutions of the UN HRs council, defines a principle for freedom of movement for the IDPs only in general terms, and lacks comprehensiveness and concreteness.

The ODIHR/HCNM report of 2008 on Human Rights in the war-affected areas following the Conflict in Georgia also lists recommendations for parties to the conflict, inter alia, including recommendations to remove undue restrictions with respect to the free movement of persons, goods and information across the administrative boundaries, in accordance with OSCE commitments and other international obligations on freedom of movement.

In recent years there have been few attempts to find a common ground for advancing the issue of freedom of movement in the OSCE. One of those Issues which we could not agree on was the Freedom of Movement for IDPs and those affected by conflicts. The delegation of Georgia proposed to de-politicize the discussion by drawing a clear distinction between the return of the IDPs and their fundamental right to move freely across the dividing lines and establish human contacts with their family members, relatives, friends, neighbors. By doing so, we hoped to shift the focus of our deliberations from the politically sensitive context to a humanitarian agenda. Unfortunately, so far we fail to come to a reasonable compromise which would enable us to register a step forward in dealing with the Freedom of Movement issue as a whole. This year too we will be ready to engage into future discussions constructively, in order to find an agreeable language on the matter and hope for reciprocal steps from other interested delegations.

Mr. Moderator, distinguished participants,

The right to move freely and establish human contacts are not privileges – they represent fundamental rights. Restrictions on the freedom of movement affect everyday life of people, in particular, their rights to education, access to healthcare, other social and economic rights. The OSCE participating States need to further enhance co-operation in this area, by agreeing to a common approach to the problem, in the spirit of the OSCE commitments, with due regard for the respect of rule of law and human rights.

Thank you.