



**Georgian delegation's response to the NGOs "Sandidzan" and  
"Ossetia Accuses"**

**2015 Human Dimension Implementation Meeting**

**Working Session 11, Refugees and IDPs**

**Warsaw, September 28, 2015**

Thank you Mr. Moderator,

- In exercising my right of reply, it seems that few points deserve further clarification.
- The Law of Georgia on Occupied Territories was adopted by the Parliament of Georgia in October, 2008, following the Russia-Georgian war in August 2008, Russia's occupation and illegal recognition of Abkhazia and Tskjinvali regions of Georgia as independent. Generally, the law prohibits illegal entry and economic activities in the occupied territories of Georgia. However, the Law contains specific provisions precluding liability for infringement of established rules by persons or organizations carrying out humanitarian activities. Besides, the Georgian Government went further and introduced the package of amendments to the Law to liberalize the sanctions for those who might not have been aware of the entry rules and to introduce administrative fines, instead of imprisonment for the first-time violators. It has also introduced the possibility to issue a post-factum permission for the entry from the prohibited direction, should such permission be within state interests. The Venice Commission in December 2013 welcomed the proposed amendments. It should also be underlined once again that this law applies only to foreign citizens and in no way targets movement and activities by residents of Georgia.
- On missing persons, we had stated our position during last week's discussions and I will not dwell on it here again.
- As for the alleged torture of the mentioned three persons – these are very serious allegations, for which there is no evidence to support such claims. Neither the facts of torture or involvement of Georgian officers in these grave human rights violations, can be confirmed or established in the mentioned video.
- As for the resolution on the "Status of the IDP's and Refugees from Abkhazia, Georgia and the Tskhinvali region/South Ossetia, Georgia – this resolution of purely humanitarian

nature. Its main goal is to ensure respect for the right of safe and dignified return for internally displaced persons and refugees. The resolution is not a political tool aimed at obstructing the ongoing Geneva International Discussions, as Russia repeatedly and misleadingly suggests, but forms the fundamental basis for respecting the human rights of all those evicted from the Abkhazia and Tskhinvali regions.

- It should be noted that the resolution was launched in May 2008, before the Geneva talks were established, and even before the GID Agenda, including the Agenda Item on the Return of IDPs, was agreed and elaborated by the consensus among all participants, including Russia.
- Thank you.