

ოკუპირებულ ტერიტორიაზე მცხოვრებ პირთა  
მდგომარეობა კვლავ საგანგაშოა

## Conditions of people living in the occupied territory are still alarming

GYLA welcomes the release of Vazha Gaprindashvili, a doctor who was illegally detained on the occupied territory and congratulates him and his family members. At the same time, GYLA would like to respond to the humanitarian crisis and the grave human rights situation created in the occupied Tskhinvali region/South Ossetia, where hundreds of people have been living under these conditions for several months.

On September 2nd, 2019, the de-facto authorities of South Ossetia arbitrarily closed the Mosabruni checkpoint. This ban created a severe humanitarian situation for both Georgians and Ossetians living in Akhagori. As a result of the closure of the so-called administrative boundary line, the local population became in complete isolation and a humanitarian crisis as they lack the possibilities of adequate medical care, food, pension or other essential services. Part of the population living in the Akhagori district in the Georgian-controlled territory, mainly in Tserovani IDP settlement - have homes, small household farms and/or workplaces. After the checkpoint was closed, part of the population stayed in Akhagori district and their family members remained in the Georgian-controlled territory. This fact has put the people living in both the Akhagori district and the Georgian-controlled area in a dire social and economic

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condition.

After the arbitrary closure of the checkpoint the grave human rights situation and humanitarian crisis on the territory of the occupied Tskhinvali region have been clearly revealed by the deaths of persons living on the occupied territory caused by lack of medical care. In particular, on October 28th, 2019, 70 years old Margo Martiashvili has died, and then in November, 49-year-old Besik Obesov has died as well. In both cases, the cause of death was inadequate medical care. Vazha Gaprindashvili, who was released from illegal detention, explained that the reason for his going over the occupied territory was to visit a patient.

On December 2nd, de-facto authorities of South Ossetia softened their positions on a closed checkpoint and lifted the ban on movement by the so-called de-facto government's Resolution 119 which has a list of pensioners receiving only Georgian pensions and for those living in the Akhalkgori district and are in a need of emergency medical care. It is noteworthy that this decision affected only a very small part of the population and that most of the locals remained in total isolation facing significant humanitarian challenges.

Despite this decision, death facts due to lack of timely and proper medical care were also reported after December 2nd, in particular, 72-year-old Shota Driayev died in December. The person and his family members have been requesting permission to go over to the Georgian-controlled territory since September yet. Despite Driayev's poor health condition, the occupation regime allowed him to go over to Georgia's controlled territory only on December 17th. Driayev died in Tbilisi on December 17th.

This case, in turn, demonstrates that usage of the de facto authorities' softened decision is linked to difficulties in practice and deprives the local population to utilize these benefits in a timely and effective manner.

On December 27th, a meeting was held between occupied South Ossetia's so-called president Anatoly Bibilov and the population of Akhagori, where residents raised the issue of restricting/prohibiting the exercise of fundamental/basic rights after the checkpoint was closed. At the meeting, the so-called president has confirmed that the closure of the checkpoint was a kind of punishment mechanism, namely that it was the de facto government's response to the placement of the police checkpoint by the Georgian authorities at the village Chorchana in the Khashuri municipality.

In addition, according to the reports, for the New Year's Eve, from December 30th to January 3rd, according to the decision of the so-called de facto authorities of South Ossetia, the so-called "checkpoint" located in the occupied village of Karzmani is planned to be closed. Given the already grave social background, by this, the situation of those living in the occupied territories will be even worse.

**In light of the human rights, humanitarian and social crisis existing in the occupied territory of South Ossetia, GYLA calls on the Georgian authorities to:**

- Make the best possible use of all possible political, diplomatic and international legal instruments to overcome the severe humanitarian crisis in the occupied territories with a purpose to improve the legal status of the persons living there;
- Continue peaceful negotiations, including in the format of the Geneva International Discussions, with the de facto authorities of South Ossetia and the Russian Federation, as the state exercising effective control over the Tskhinvali region, to timely overcome the crisis created;
- Work out a joint plan together with the international organizations, South Ossetian de facto authorities and Russian representatives, which would provide a safe passage for the humanitarian organizations working in the occupied area, which in turn, would help in partially solving the existing grave situation and also, would prevent further detention of persons with a charge of illegal crossing who went over with a humanitarian purpose;
- Provide relevant socio-economic assistance to the persons remaining in the Georgian-controlled territory, who due to the closure of the so-called "checkpoint" is unable to go over to Akhagori district and/or who's family members remain in the occupied

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territory;

**To the international community and international organizations:**

- Use the measures at their disposal to overcome the difficult situation created in the occupied Tskhinvali region and to step up efforts to combat the mass violation of rights;
- Intensify efforts to carry out observation activities by their representatives in the occupied territories and to establish a human rights monitoring mechanism;
- Facilitate the movement of humanitarian organizations and their representatives to the occupied territory and the transfer of those patients to the Georgian controlled territory who require appropriate medical treatment;
- Promote the supply of food and medicines necessary for humanitarian purposes in the occupied territories.