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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 [76/267](#), pertains to the status of internally displaced persons and refugees from Abkhazia, Georgia, and the Tskhinvali region/South Ossetia, Georgia.

The report is focused, in particular, on the right of return of refugees and internally displaced persons and their descendants, the prohibition of forced demographic changes, humanitarian access, the preservation of 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.



I. Introduction

1. The present report is submitted pursuant to General Assembly resolution [76/267](#), in which the Assembly requested the Secretary-General to submit to it at its seventy-seventh session a comprehensive report on the implementation of the resolution. The report covers the period from 1 April 2022 to 31 March 2023 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 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 (OSCE) ([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, 56 rounds of the Geneva International Discussions have been held, with participants meeting in two parallel working groups. The fifty-sixth round, initially planned for 30 March 2022, was postponed to 5 October 2022 by the Co-Chairs due to regional circumstances. That round turned out to be the only one held in 2022.

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 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). By the end of the reporting period, neither the regular nor any ad hoc meetings could be held owing to disagreements among participants.

The regular meetings of the Incident Prevention and Response Mechanism in Ergneti, co-chaired jointly by the OSCE and the European Union Monitoring Mission, continued. From 12 April 2022 to 2 March 2023, six meetings were held, which is a welcome development.

7. The Secretary-General remains deeply concerned by the continued suspension, since 2018, of the Incident Prevention and Response Mechanism in Gali. The Secretary-General urges the participants to refrain from politicizing the process and format-related issues, to take a constructive approach and to display the political will to enable this Mechanism to undertake its prevention and response work. 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 Mechanism. The Secretary-General welcomes the ongoing efforts of the United Nations Representative, including active negotiations with the participants, to ensure the resumption and effective operation of the Mechanism in Gali and to return the focus of the participants to substantive issues. In late 2021, these efforts led to an initiative by one of the participants to resume the Mechanism, with consultations ongoing. The Secretary-General hopes that meetings will resume in accordance with the ground rules and agreed principles, and without further delay and any preconditions.

8. During the reporting period, notwithstanding the holding of only one round, the participants in Working Group I of the Geneva International Discussions continued to review the security situation on the ground. Although some detention-related incidents occurred, especially along the South Ossetia administrative boundary line, the overall security situation was assessed as relatively calm and stable, albeit fragile. The participants in Working Group I also continued discussions on the key issues of the non-use of force and international security arrangements. These discussions have not yet resulted in any tangible outcomes. The Secretary-General continues to 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, to make tangible progress without delay.

9. Working Group II continued to focus on the humanitarian needs of all affected populations, which were exacerbated by the coronavirus disease (COVID-19) pandemic, including their livelihoods, 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 should be kept on the agenda, there was neither substantial discussion on nor progress made in addressing this important matter. “Walkouts” by some participants under this agenda item have regrettably become the norm. During the reporting period, there was no sustainable return to areas of origin or habitual residence.

10. In the context of Working Group II, there were some constructive discussions and activities to improve living conditions in Abkhazia, Georgia, including regarding agricultural livelihoods and related issues, and in response to the needs that have emerged due to the COVID-19 pandemic. Prolonged periods of closure of crossing points, related to the COVID-19 pandemic, and the further restrictions on freedom of movement, especially with respect to the South Ossetia administrative boundary line that has been closed since September 2019, had a negative impact on living conditions and access to markets and medical and other essential services. The relative relaxation of the restrictions on freedom of movement announced in August 2022 by the South Ossetian side represents a welcome alleviation of some of the hardships experienced by the isolated population. The Geneva International Discussions Co-Chairs and the co-moderators of Working Group II continued to urge all participants to enable crossings for access to medical services and education opportunities and, more

specifically, to allow visits to religious sites, including graveyards, by relatives of the deceased across administrative boundary lines.

11. Since the reopening of the Inguri crossing point in July 2021, the Office of the United Nations High Commissioner for Refugees (UNHCR) continued to transport vulnerable people across the Inguri Bridge, enabling them to have access to essential services, pensions and allowances. This freedom of movement not only helped to address medical and social support needs, but also allowed small traders to operate and enhanced the purchasing power of people in Gali, which contributed to improving living conditions. Challenges remained with regard to obtaining the documentation required for crossing, preventing some people from enjoying this benefit. The Secretary-General encourages the opening of additional crossing points for pedestrians to ease people's movements and broaden the positive impact of such measures.

12. Pursuant to Human Rights Council resolution [49/33](#), the United Nations High Commissioner for Human Rights presented a report on "Cooperation with Georgia" ([A/HRC/51/64](#)) to the Council at its fifty-first session in September 2022. On 4 April 2023, the Council adopted resolution [52/40](#), entitled "Cooperation with Georgia", in which, inter alia, it requested the High Commissioner to present to the Council an oral update on the follow-up to the resolution at its fifty-third session and a report on developments relating to and the implementation of the resolution at its fifty-fourth session. The Secretary-General reiterates his call upon all relevant stakeholders to engage in a constructive manner and implement conclusions and recommendations from reports of the High Commissioner to the Council, including about unfettered access to assess the human rights protection needs of the affected population.

13. While many humanitarian issues remain unresolved, the Geneva International Discussions continue to offer an important opportunity for participants to engage on the issue of the 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.

14. As part of their ongoing efforts to promote the women, peace and security agenda in the framework of the Geneva International Discussions, the Co-Chairs have continued to mainstream these issues. The Co-Chairs underscored that conflict has different impacts on women and girls and on boys and men. Throughout the reporting period, the Co-Chairs and co-moderators continued to benefit from the insights of conflict-affected populations, including displaced women, through exchanges of information on their situation.

15. In 2022, only one round of the Geneva International Discussions was held, on 5 October. The Secretary-General urges all concerned to support and participate constructively in the rounds and to make every effort to maintain this important dialogue platform. The Secretary-General reiterates the need for all participants to respect and adhere to the previously agreed ground rules for the Geneva rounds, including the cessation of "walkouts", to help create a conducive atmosphere for dialogue and practical problem-solving at the Discussions. The Secretary-General encourages all participants to engage constructively with one another and with the Co-Chairs and co-moderators to find creative and mutually acceptable solutions to unblock the impasse and to discuss issues related to the voluntary return of internally displaced persons and refugees.

III. Right of return

A. Scope of displacement, return and local integration

16. 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. Since December 2019, the Internally Displaced Persons, Ecomigrants and Livelihoods Agency has been the designated authority responsible for issues related to internally displaced persons. According to their data, as at 31 December 2022 there were 292,856 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 government data, the number of registered internally displaced persons increased by 19,091 between 2016 and 2022, primarily, as a result of births in their families.

17. It is estimated that more than 45,000 people have previously spontaneously returned to their homes in the Gali district in Abkhazia. 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, Ochamchire and Tkvarcheli districts. The authorities in control in South Ossetia continue to deny the return of ethnic Georgians displaced as a result of conflict. 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. The United Nations also continued to call for returnees' access to civic and political rights, equal protection before the law, social security, health care, work and employment, education (including mother-tongue-based multilingual education at all levels), freedom of thought, conscience and expression and cultural life. Challenges related to documentation, freedom of movement, shelter rehabilitation needs, limited livelihood opportunities, substandard water, sanitation and hygiene conditions and poor health and education facilities persist.

18. The authorities in control in both Abkhazia and South Ossetia have adopted so-called laws that provide for the issuance of documentation to the population, in particular ethnic Georgians, who are thereby defined as "foreign" or "stateless". The Secretary-General urges the authorities in control in Abkhazia and South Ossetia to take all measures necessary to facilitate freedom of movement and access to rights and services for the ethnic Georgian population, including returnees.

19. In December 2016, the authorities in control in Abkhazia amended the so-called "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 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, the extension and issuance of "Form No. 9" continued until mid-2021 despite the lack of a relevant legal framework. Since July 2021, the extension and issuance of "Form No. 9" was suspended, and it was issued only on the basis of a medical certificate or authorization from local stakeholders. Since January 2022, "Form No. 9" has been extended or issued only to those holding Abkhaz "citizenship" pending issuance or renewal of their "passports", and their applications have thus not always been successful.

20. Since 1 January 2019, the authorities in control in Abkhazia have banned holders of Abkhaz “passports” issued before 2016 from crossing the administrative boundary line, thereby compelling the individuals to apply for the new version of the “passport” or a “foreign resident permit”. Following two sets of amendments to the so-called “Law on Citizenship” in 2013 and 2018, the majority of ethnic Georgians in Abkhazia no longer meet the criteria for the acquisition of the 2016 version of the so-called “passport”.

21. The “foreign resident permit” does not grant its holder the full range of political, housing, land and property rights under Abkhazia’s de facto legislation. The restrictive eligibility requirements exclude a considerable number of people from obtaining it, including potential future returnees, while grounds for rejection are broad and open to interpretation. The issuance of “foreign resident permits” has been further affected by additional requirements, introduced in May 2020, to prove long-term residence and to pay a processing fee. According to available information, in 2016–2017 over 34,000 individuals obtained “foreign resident permits” with a five-year validity period. During the reporting period, the renewal of documents for some 3,000 persons was still pending due to cumbersome procedures. Those challenges continued to negatively affect livelihood opportunities and the trade and labour activities of the returnee population. To help ethnic Georgians in Abkhazia to exercise their rights, the requirements for “foreign resident permits” should be eased.

22. The repeated changes in policies related to documentation and the challenges experienced have created concerns among the affected population about the impact of any future developments on their ability to stay in contact with family, maintain access to markets and benefit from medical and other services. The Secretary-General urges the relevant actors to develop a long-term vision on the status of the ethnic Georgian returnee population in Abkhazia and South Ossetia that avoids any discriminatory treatment or curtailment of rights.

23. In August 2022, the new authorities in control in South Ossetia decreed a partial relaxation of the restrictions on freedom of movement across the administrative boundary line that were introduced in September 2019, which caused significant hardship and suffering, especially to ethnic Georgian residents of Akhagori and those displaced from the district in 2008. It was announced that crossing points would be open between the twentieth and thirtieth day of each month. While this gesture is a welcome relief after three years of severe isolation, ongoing restrictions remain a serious concern. Ethnic Georgians displaced in 2008 from other parts of South Ossetia than Akhagori have no opportunity to return. Since the conflict in August 2008, the United Nations has lacked operational access to South Ossetia, apart from a humanitarian assessment mission conducted by UNHCR in August 2016. It is important that sustained humanitarian access be discussed and agreed by both authorities in control and the Government of Georgia. The Secretary-General strongly encourages the relevant stakeholders to actively facilitate unhindered regular access to South Ossetia to allow humanitarian and development agencies to assess needs and assist the population, especially the most vulnerable.

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 facilitate freedom of movement 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. While COVID-19 restrictions were lifted and the administrative boundary line was opened for general crossing in July 2021, movement continued to be a challenge to those whose Abkhaz “foreign residence permit” or “passport” had expired and for

whom the extension and issuance of the temporary “Form No. 9” travel document was suspended. Restrictions on movement had a significant impact on lives and livelihoods of the people affected, including physical and mental state of older persons and other vulnerable communities, as well as those with chronic medical conditions. 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 non-food items and medical, hygiene and sanitary supplies to Abkhazia, including equipment to support the prevention, diagnostics and treatment of COVID-19.

26. The World Health Organization was able to conduct several COVID-19 assessment missions to Abkhazia and provide substantial support to the COVID-19 pandemic response. The Secretary-General encourages the continuation and expansion of such cooperation, including in relation to communication with communities, consultations with peers, protection and assistance for the most vulnerable, clean water and sanitation, protection and maintenance of basic livelihood activities, and in the health sector. The Secretary-General calls upon all relevant actors to avoid politicization of humanitarian issues and to ensure an enabling environment for close cooperation with and support by the World Health Organization and other United Nations entities, including through the use of the Incident Prevention and Response Mechanism in Gali and its hotline to address such issues. Furthermore, the Secretary-General calls upon all concerned to show humanitarian consideration for local residents engaging in traditional livelihood activities near and across the administrative boundary lines.

27. Since the reopening of the administrative boundary line in July 2021, UNHCR continued its shuttle bus services to facilitate the passage of vulnerable individuals crossing the Inguri Bridge. More than 5,000 round trips were organized transporting around 500 persons daily, for whom the movement facilitated access to much needed services and allowances. The Secretary-General calls on all relevant actors to ensure access of all persons to benefits and services for which they are eligible.

28. So-called “borderization” measures along the administrative boundary lines with South Ossetia and Abkhazia continued throughout the reporting period. Further obstacles to freedom of movement, including “state border signs”, watch posts and surveillance equipment, continued to be observed along the administrative boundary lines. Increased surveillance by the Russian Federation border guards and strict detention practices were also reported. The Secretary-General remains concerned about the continued detention of civilians residing along the Abkhazia and South Ossetia administrative boundary lines for so-called “illegal crossings”.

29. In South Ossetia, the continued closure of the administrative boundary line and ongoing “borderization” measures continued to restrict the ability of people to cross the administrative boundary line, despite the partial reopening in August 2022. This also continued to negatively affect freedom of movement, social and family relations and livelihood opportunities. While the Secretary-General welcomes the partial reopening of the closed crossing points, he calls for their full reopening without restriction and for the participants in the Geneva International Discussions to refrain from any unilateral action that may have an adverse impact on the humanitarian situation of the affected populations and their access to rights and services. 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 continued 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.

30. 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. The Secretary-General commends 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. There is a continuing need to provide internally displaced persons with access to employment and livelihoods.

31. Thanks to the efforts of the Government of Georgia and 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. By the end of 2022, about 50,000 internally displaced families were provided with durable housing solutions. There remains, however, an urgent need to continue efforts to improve the living conditions of particularly vulnerable internally displaced persons in both collective centres and private accommodation. The 2021 amendments to the rules of provision of durable housing to internally displaced persons imply that those who were directly affected by the internal displacement will get additional points during housing distribution. Further amendments introduced in 2022 oblige the state to provide durable housing only for internally displaced persons born before 1 January 2023. These minors will be provided with housing together with their family members and will no longer have the right to request housing individually. The amendment is in line with the switch to a needs-based policy recommended by international experts, which the Government has not yet fully endorsed. Other efforts, such as privatization and rural housing projects, which combine the provision of shelter with agricultural land, have expanded housing options. However, considering the total needs, existing durable housing solutions remain limited.

32. Given the scale of displacement, substantial challenges concerning the integration of internally displaced persons remain. 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 to qualify for continued assistance. United Nations consultations with internally displaced persons and relevant authorities show that the lack of adequate living conditions remains the biggest concern for internally displaced persons in Georgia and is particularly prominent for those who were displaced during the conflict in 1992–1993, as some of them still reside in collective centres.

33. 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 related humanitarian and development projects in Georgia remain limited. Moreover, further progress in integrating and improving the living conditions of the internally displaced has become less a question of humanitarian response and more a matter of integrating their socioeconomic needs into municipal, regional and national development strategies and budgets.

34. The Secretary-General welcomes the decision of the Government of Georgia to base assistance to internally displaced persons on needs and vulnerabilities, using a scoring system. 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. The Secretary-General urges 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.

35. While progress has been made in the reintegration of the ethnic Georgian returnee population in Abkhazia, important needs and protection challenges remain. Those who spontaneously returned 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 necessary to enjoy full freedom of movement and full access to rights and services.

36. 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. However, additional protection and reintegration challenges remain in Abkhazia. The local population continues to report a sense of insecurity, particularly about the future. Specific protection concerns expressed by the returnees continue to 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 to prevent the spread of infectious diseases and viruses; (f) incidents of discrimination, including those related to documentation; and (g) a 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 on freedom of movement, which impact 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 Zugdidi. 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 remains essential to identify and implement solutions for the provision of documentation, including to children, in conformity with international law, including international human rights law, and the principles governing the prevention and reduction of statelessness. The Secretary-General urges all relevant actors to take pragmatic steps to solve this recurring problem without delay and allow all persons, in particular children, to cross at convenient and safe locations.

38. There is a complex balance 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 consider 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 exposure 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, considering 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 monitor all those factors effectively, is another important aspect.

40. While humanitarian access to South Ossetia by the international community regrettably remains unavailable, Abkhazia has continued to benefit from the engagement of international actors, and it is hoped that this will continue. The Abkhazia Strategic Partnership, established in 2010 by international partners and chaired by the United Nations Resident Coordinator in Georgia, continues its leading role as a coordination platform for United Nations agencies, funds and programmes and international non-governmental organizations (NGOs) operating in all parts of Abkhazia. Through its collaborative format rooted in humanitarian principles, the Partnership fosters a holistic approach by providing humanitarian and recovery assistance to the most vulnerable segments of the population, while contributing to confidence- and peacebuilding and promoting access to rights for conflict-affected communities.

41. UNHCR, in partnership with local and international NGOs and authorities in control in Abkhazia, continued to facilitate protection and assistance services to the most vulnerable families, including through legal advice and counselling concerning access to rights and services. UNHCR provided technical knowledge and skills training as a route to employment for young people and continued supporting self-employed entrepreneurs to expand their activities. In addition to facilitating transportation for a number of schoolchildren and vulnerable persons over the Inguri Bridge, UNHCR also undertook 12 small projects to strengthen resilience and community-based protection.

42. To enhance food security, UNHCR and partners provided vulnerable households in Abkhazia with equipment and training to help diversify and modernize their farming activity. In 2022, UNHCR continued to expand the scope of cash assistance to the most vulnerable families whose livelihoods and resilience were severely jeopardized owing to COVID-19 and crop failures, while providing cash assistance to over 600 persons and distributing food and hygiene packages to more than 500 individuals. UNHCR and partners also sought to strengthen the social protection system and create an environment for community-based local support. Ongoing isolation, the long-term health effects of COVID-19 and significant increases in the cost of living have all exacerbated the humanitarian situation of the most vulnerable segments of the population, particularly older persons living alone. Continuous support and engagement from the international community is essential.

43. The United Nations Development Programme (UNDP) continued its programmatic assistance to foster peacebuilding and an enabling environment for lasting peace. These efforts included promotion of sustainable peace through community-led discussions and civil-society driven initiatives with a particular focus on empowering women, young people and excluded groups. UNDP continued to work in support of conflict-affected communities to improve access to quality social services and improve living conditions, and also promoted entrepreneurship and vocational education as paths to improved livelihoods. It further focused on reducing the risk of floods and other hazards in Abkhazia.

44. In 2022, the programmatic work of the United Nations Children's Fund in Abkhazia supported more than 2,000 children in need of social assistance, refurbished two medical colleges and trained more than 100 students, improved water, sanitation and hygiene facilities in nine schools and continued its training programme on education, training 59 teachers in preparatory life skills and contemporary approaches to schooling and supporting 230 youth clubs.

45. During the reporting period, the Food and Agricultural Organization of the United Nations (FAO) continued to support farmers to enable them to strengthen their resilience, improve their livelihoods and increase their capacity to respond to immediate agriculture-related risks. It also continued to provide economic opportunities for small holder farmers. In Abkhazia, FAO consolidated its agronomic programme to support smallholder farmers in cash crops and vegetable production and increased its scope of work with vulnerable dairy producers, together with the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women). Moreover, FAO started its activities along the South Ossetia administrative boundary line, with interventions in support of local farming communities and the promotion of climate smart agriculture in cereal production. FAO also worked to ensure the right to farm, within the farming communities on both sides, through the implementation of conflict-sensitive programmes.

46. UN-Women continued to facilitate the sharing of information between women's organizations, internally displaced and conflict-affected women, including those living adjacent to the administrative boundary lines, and Georgian authorities. UN-Women further provided technical support for the Government of Georgia to develop the fourth national action plan for implementation of Security Council resolutions on women and peace and security for the period of 2022–2024, which was adopted along with monitoring and evaluation mechanisms in October 2022, following an inclusive and participatory drafting process with active engagement by government agencies, relevant municipalities, civil society and women and young people from conflict-affected communities. It is important to note that women's organizations played a decisive role in the implementation of the previous three national action plans. The Secretary-General strongly believes that the implementation of the women and peace and security agenda will continue to be in the best interests of the conflict-affected communities.

47. The issue of freedom of movement across the administrative boundary line has security, humanitarian and human rights dimensions, and remains of utmost importance to the local population. Developments during the reporting period were marked by further enhanced control measures and limitations, as well as the formalization of documentation requirements, imposing conditions on the ability to cross the administrative boundary line. The Secretary-General urges the authorities in control in Abkhazia to ensure the issuance of the necessary documentation to all groups of the population and their freedom of movement across the administrative boundary line. The Secretary-General encourages the authorities in control in Abkhazia to provide additional transport options and to favourably consider the

re-opening of all pedestrian crossing points that were closed in 2016 and 2017 to facilitate travel for those living further away from 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. The Secretary-General calls upon all stakeholders to exercise maximum care and flexibility in that regard and to improve the conditions for crossings, including through the introduction of a fast-track procedure for vulnerable persons. The Secretary-General calls upon the relevant authorities to ease crossings for family visits, especially 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 resulting in demographic change. The principles and provisions of international law mentioned in 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 law and humanitarian access

50. The need to establish and maintain humanitarian space is essential 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 under the relevant rules of international humanitarian law concerning humanitarian access, and act in good faith to fulfil those obligations. 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. According to 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 availability of resources 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. Under international humanitarian law, rapid and unimpeded passage of humanitarian relief for civilians in need, which is impartial in character and conducted without any adverse distinction, must be allowed and facilitated. Arrangements pertaining to relief personnel should be simplified to the greatest extent possible, and the Secretary-General encourages measures to enable 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, the Secretary-

General encourages all relevant actors to allow for unhindered, sustainable humanitarian access and service delivery by humanitarian partners and permit 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 has been able to implement protection, humanitarian assistance, and recovery activities in Abkhazia. The United Nations Resident Coordinator in Georgia has facilitated dialogue on those approaches and activities among international donors and with relevant authorities. During the reporting period, the authorities in control in Abkhazia communicated their restrictions regarding conducting surveys, assessments and verifications by international organizations and NGOs, thus impeding the collection of information for needs-based programming. The Secretary-General urges the relevant authorities to allow proper needs assessment and monitoring to enable the continuation of these activities in line with relevant mandates and accountabilities.

54. Since October 2019, the authorities in control in Abkhazia have required the stamping of all passports other than those of the Russian Federation, including the passports of staff members of international organizations and NGOs. In addition, they require the nationally recruited staff of United Nations entities and international NGOs in Abkhazia to interact with the “security service” in Abkhazia before crossing the administrative boundary line. Regrettably, on numerous occasions United Nations personnel, both national and international, have been questioned by “security services” in Abkhazia about their work. These requirements have continued to severely limit the operational flexibility of the United Nations and international NGOs in Abkhazia. The Secretary-General calls upon all relevant actors to ensure operational flexibility for project implementation and unimpeded access for all categories of United Nations personnel and international NGO staff members working to support local populations.

VI. Property rights of refugees and internally displaced persons

55. Property-related issues remain within the scope of Working Group II of the Geneva International Discussions. The Secretary-General’s 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 the report of 20 May 2013 (A/67/869, paras. 58–60), remains valid. The Special Rapporteur on the human rights of internally displaced persons noted during his visit to Georgia 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. The Secretary-General encourages the participants in the Geneva International Discussions to facilitate an expert session to address housing, land and property rights.

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

56. No agreement or timetable for the voluntary return of all refugees and internally displaced persons has been developed. 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. The Secretary-General reiterates 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 to identify durable solutions for all displaced persons, giving particular attention to the implementation of the right of return. The Secretary-General reiterates his call upon all participants in the Geneva International Discussions to engage constructively, 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 brought up for discussion in Working Group II.

57. 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 the report of the Secretary-General ([A/63/950](#), para. 20).

VIII. Conclusion

58. The Secretary-General is deeply concerned about the continued adverse impact of the war in Ukraine and related regional tensions on long-standing regional mediation, conflict prevention and conflict resolution mechanisms, including the Geneva International Discussions. It is critical at this period of heightened tensions for all relevant stakeholders and participants in the Discussions to work together with the Co-Chairs to preserve and revitalize this unique platform for discussing and addressing key security, stability, and humanitarian issues, including the return of refugees and internally displaced persons.

59. The Secretary-General welcomes the holding of the fifty-sixth round of the Geneva International Discussions in October 2022, notwithstanding the major challenges faced during the reporting period. It is regrettable that key security, humanitarian, human rights and development challenges remain unresolved, hampering the creation of conditions conducive to the return of displaced populations.

60. It is critical that all participants in the Geneva International Discussions and all relevant stakeholders demonstrate greater political will and undertake practical and constructive efforts to help preserve and revitalize this important process and achieve substantive progress. The Secretary-General welcomes the continuing efforts of the Co-Chairs to maintain regular dialogue and engagements and commends the participants for their commitment to remain constructively engaged in the process.

61. The Secretary-General welcomes the holding in April 2023 of the postponed fifty-seventh round of the Geneva International Discussions, originally planned for February 2023. The Secretary-General urges all stakeholders and participants in the Discussions not to allow regional developments to further disrupt this important process, at the risk of letting unresolved issues become sources of renewed tensions. In this regard, the Secretary-General urges all relevant stakeholders to step up efforts to make tangible progress on key security and humanitarian issues on the agenda of the Discussions, to enable the improvement of the security and human rights situation and to meet the humanitarian concerns of the affected population, including internally displaced persons.

62. The Secretary-General remains concerned by the persistent security challenges stemming from continued negative trends related to so-called “borderization”, restrictions on the freedom of movement and other unilateral actions. These 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. These restrictions place additional burdens on the conflict-affected population, including women, depriving them of access to livelihoods and medical and other services.

63. The continued suspension of the Incident Prevention and Response Mechanism in Gali further impedes opportunities for progress and remains a source of major concern. The Incident Prevention and Response Mechanism in Ergneti and Gali provide critical preventive and response functions, which are 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 Mechanism resume in Gali without delay and without preconditions and that the Mechanism in Ergneti continue its normal functioning uninterrupted. The Secretary-General welcomes the ongoing engagement by the Co-Chairs of the Geneva International Discussions with all relevant stakeholders and participants to positively engage in and use these critically important Mechanisms to address any issues related to the recent and past incidents.

64. The Secretary-General once again strongly urges all participants to uphold and deepen their engagement in the Geneva International Discussions, including in Gali and Ergneti, to preserve and expand humanitarian space and 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 on the humanitarian and development situation of affected populations, or undermine the work of the Discussions. The Secretary-General also urges donors to continue and strengthen their support for the multifaceted humanitarian, development, conflict prevention, dialogue, confidence-building and peacebuilding efforts, including to women's civil society organizations.

65. Further concrete steps are needed to promote greater engagement of the populations living in Abkhazia and South Ossetia. The Secretary-General appreciates 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 encourages all participants to cooperate and engage more. The United Nations continues to be ready to support such efforts, as needed.

66. Ultimately, the responsibility for the preservation and 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 15 years after the inception of the Discussions, it is in the interest of the conflict-affected population that the participants and relevant stakeholders demonstrate the necessary political will, constructive approach and flexibility to move forward towards genuine dialogue and lasting peace. The United Nations, including through the United Nations Resident Coordinator, the United Nations country team 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 in the interests of local communities and the preservation of regional peace and security.