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The humanitarian consequences of the war between Georgia and Russia: follow-up given to Resolution 1648 (2009)

Report
Committee on Migration, Refugees and Population
Rapporteur: Mrs Corien W.A. JONKER, Netherlands, Group of the European People's Party

Summary

There remain serious humanitarian consequences following the war between Georgia and Russia. In Georgia there remain displaced 26,000 out of 130,000 persons originally displaced as a result of the conflict. In South Ossetia out of the 33,000 to 38,000 persons originally displaced, all but 1,200 persons have returned.

In South Ossetia, the urgent humanitarian needs have been met and now development is needed to repair homes and infrastructure and to provide people with a means and income to live. Regrettably, the total destruction of many ethnic Georgian villages can be confirmed.

Ethnic Georgians in the region of Akhagori are not currently being forced to leave the area but the human rights situation remains of concern. The issue and concerns are much the same for the Gali region of Abkhazia.

The Parliamentary Assembly needs to facilitate a dialogue with all parties to the conflict, without which positions will become further entrenched and trust, including with the international community, will suffer further. Steps must be taken to ensure that the administrative borders between South Ossetia and Abkhazia, on the one hand, and Georgia, on the other, remain open. If they look like being completely closed there will be a mass exodus of ethnic Georgians still living to the North of these administrative borders. This will bring about a further humanitarian crisis. The issue of voluntary return in safety and dignity remains a preoccupation, and priority needs to be given to advancing these returns.

A. Draft resolution

1. The Parliamentary Assembly refers to its Resolution 1648 (2009) on the humanitarian consequences of the war between Georgia and Russia. It considers it important to follow-up on this Resolution by examining in more detail the particular humanitarian situation in South Ossetia and some of the more recent developments impacting on the humanitarian situation in the rest of Georgia and the conflict zones.
2. Of the 130,000 ethnic Georgians displaced during the conflict, there remain approximately 26,000 persons displaced living in collective centres in Tbilisi and other parts of Georgia. Of approximately 33,000 to 38,000 persons of South Ossetian ethnic origin displaced to North Ossetia during the conflict, approximately 1,200 persons have not as yet returned to South Ossetia.
3. The immediate humanitarian needs following the conflict have been met during the winter, and credit has to be given to Georgia and the many international donor countries and organisations for their activities in favour of persons in the territory under Georgian government control. Credit must also be given to Russia for the humanitarian assistance it has provided in particular in North Ossetia and South Ossetia. Mention should also be made of the essential contribution of the International Committee of the Red Cross (ICRC) for its humanitarian work out of Tbilisi, and also its work out of Tskhinvali, where it has been the only international humanitarian actor present in the region.
4. Priority now needs to move from urgent humanitarian assistance to development including rebuilding of homes and structures destroyed during and as a consequence of the war. Re-establishment and guarantees of gas supplies, water supplies and electricity supplies are a priority.
5. Voluntary return of all displaced persons, including refugees, needs to be promoted in safety and dignity. This applies to those affected by the recent conflict but also those affected by earlier conflicts.
6. In relation to South Ossetia, humanitarian and development assistance is in the process of being negotiated in the sum of 10 billion roubles from Russia. This will help repair buildings and infrastructure and a new gas pipeline will be built to Tskhinvali from North Ossetia. These steps will help alleviate the difficult situation in which the people in South Ossetia live, including over 3,000 people who are still housed in collective centres since the earlier conflicts.
7. Security concerns remain for many of those living in South Ossetia, as for those living in the rest of Georgia, and in particular those living close to the administrative border. There remains a great deal of insecurity and fear on all sides concerning cross administrative border incidents, hostage taking and also the possibility of the resumption of armed hostilities.
8. The villages in South Ossetia previously under Georgian control have been razed to the ground with the exception of a handful of houses. The intention to cleanse the area of ethnic Georgians is clear.
9. The situation of ethnic Georgians in the occupied Akhalkgori district remains a major concern, and while these persons are currently not being forced to leave their homes through threats or violence, they are facing many problems which unless addressed will lead to a further exodus of persons from this region. These problems include restrictions on crossing the administrative border, the uncertainty about the education system and education in Georgian, pressure to take up South Ossetian passports, acts of discrimination by individuals and problems of access to health care.
10. The war damage, research and testimonies which have become clear following the end of the war attest to human rights and humanitarian law violations having been committed on all sides and need to be the subject of an international independent investigation. In particular there is a need to investigate allegations of indiscriminate attacks on civilians, such as through the use of cluster bombs allegedly used by both the Georgian and Russian sides, and also alleged attacks on ethnic South Ossetian civilians seeking to flee the combat zone from Tskhinvali and ethnic Georgians seeking to flee the combat zone, including near Eredvi.
11. The situation in Abkhazia also remains tense. The issues of restricted crossings at the administrative border south of the Gali district, rights, in particular the right to education in the mother tongue, of ethnic Georgians living in a *de facto* minority situation in the Gali district, and the process of forcing persons to take Abkhaz passports, are particularly worrying. The recent incident in the village of Otobaia, where 50 families were expelled but later allowed to return, is also of great concern to the Assembly.

12. The future and role of international organisations in the region remain uncertain. The Organisation for Security and Co-operation in Europe (OSCE) office in Georgia is being closed down, although the mandate of the organisation's unarmed military monitoring officers has been renewed until 30 June 2009. In relation to Abkhazia, the United Nations has managed to negotiate a renewed mandate for its observer mission until 15 June 2009, but a new mandate will have to be negotiated. The European Union Monitoring Mission (EUMM) still has no access to territories outside the control of the Georgian government.

13. Further steps need to be taken to build up a dialogue and trust between all parties to the conflict and the international community. This can not be done if administrative borders are closed tight and if communities are totally isolated. International organisations, including the Council of Europe, need to be present in these regions in order to promote dialogue and trust.

14. In view of the above-mentioned considerations, the Assembly calls on Georgia, Russia and the *de facto* authorities in South Ossetia and Abkhazia to:

14.1. fully implement the recommendations made in Assembly Resolution 1648 (2009) on the humanitarian consequences of the war between Georgia and Russia;

14.2. keep the administrative borders of Abkhazia and South Ossetia open and remain flexible and practical concerning the issue of access to the region from the north or the south, at least for all humanitarian purposes;

14.3. ensure that all basic utilities, such as gas, electricity and water, are not interrupted. This is particularly important with respect to gas supplies to Tskhinvali and water supplies from South Ossetia to villages south of the administrative border;

14.4. work to identify missing persons and tackle the problem of hostage taking and prisoner exchanges, using as appropriate the good offices of the different ombudsmen in the region and the Council of Europe Commissioner for Human Rights;

14.5. support civil society initiatives essential for empowerment of the people, especially young people, and the development of society in order to ensure a strong human rights and humanitarian culture in the former conflict zones;

14.6. give priority, in the humanitarian context, to finding flexible and creative agreement on the mandate and role of international organisations operating in the region in order to promote peace and stability and to monitor the human rights and humanitarian situation. More particularly in this respect:

14.6.1. agree to the continuation of the work carried out by the United Nations Observer Mission in Georgia;

14.6.2. allow the OSCE unarmed military officers to continue their monitoring mandate, and negotiate a renewed OSCE presence in the region of South Ossetia;

14.6.3. strengthen the mandate of the EUMM and allow it access to all conflict areas;

14.6.4. look into the need for a new internationalised peacekeeping force in the region;

15. The Assembly calls on the *de facto* authorities in South Ossetia and Russia to:

15.1. reach agreement as soon as possible on the proposed 10 billion roubles aid package which will go towards rebuilding homes, moving persons from collective centres, and repairing damaged and neglected infrastructure;

15.2. take action against any persons having participated in destruction or looting of housing and ensure that the homes, property, belongings and physical safety of all persons of Georgian ethnic origin are safeguarded and, in relation to homes and property, that they are restored and wherever practical restituted;

15.3. ensure the voluntary return of all displaced persons in safety and in dignity, in accordance with international law;

15.4. provide full and free access to all places of detention by international monitoring mechanisms, including the European Committee for the Prevention of Torture and the ICRC;

15.5. refrain from any steps which will contribute to the further departure of ethnic Georgians from, in particular, the occupied Akhagori district, and encourage the return of those who have already departed. In this respect steps should be taken to:

15.5.1. facilitate cross southern administrative border travel by the local population in the Akhagori district;

15.5.2. help reconstruct any damaged or destroyed property in the district;

15.5.3. guarantee the education rights, including education in mother tongue, of the ethnic Georgians living in the Akhagori district;

15.5.4. ensure that the population is not forced to take South Ossetian passports;

15.5.5. tackle any acts of discrimination, whether these are by individuals or the authorities.

16. The Assembly calls on the *de facto* authorities in Abkhazia and Russia to:

16.1. provide full and free access to all places of detention by international monitoring mechanisms, including the European Committee for the Prevention of Torture and the ICRC;

16.2. keep the southern administrative border open, in particular for those living or wishing to return to the Gali district;

16.3. ensure that there are no repeat incidents such as the expulsion of villagers from the village of Otovaia;

16.4. ensure voluntary returns in safety and in dignity, including return of persons to the Kodori valley;

16.5. guarantee the education rights, including education in mother tongue of the ethnic Georgians.

17. The Assembly calls on Georgia to:

17.1. proceed with the revised State Strategy for internally displaced persons (IDPs), in co-operation and consultation with the Office of the United Nations High Commissioner for Refugees and other international partners;

17.2. revise the Law on the Occupied Territories or refrain from implementing it in a way which may be incompatible with international human rights and humanitarian law standards as identified by the European Commission for Democracy through Law (the Venice Commission).

18. The Assembly calls on Russia to examine the housing and other humanitarian needs of displaced persons and refugees from the recent and earlier conflicts in Georgia, regardless of their ethnic origin, and speed up the rehousing of persons currently living in long term collective centres in North Ossetia.

19. The Assembly calls on the international community to redouble its efforts to be present in South Ossetia and also in Abkhazia so as to alleviate distrust by the local population and to enhance the possibility for dialogue with all parties.

20. The Assembly encourages the Council of Europe Commissioner for Human Rights to continue his important human rights work in the region.

B. Draft recommendation

1. The Parliamentary Assembly refers to its Resolution ... (2009) on the “The humanitarian consequences of the war between Georgia and Russia: follow-up given to Resolution 1648 (2009)”.
2. It believes that the Council of Europe has an important role to play in the conflict region, including in South Ossetia, Abkhazia and the occupied territories of the Kodori Valley, Akhagori district and Perevi.
3. Therefore the Assembly recommends that the Committee of Ministers takes fully into account the recommendations contained in Recommendation 1857 (2009) on the humanitarian consequences of the war between Georgia and Russia, and in particular:
 - 3.1. continues to liaise with the EU, United Nations, the Organisation for Security and Co-operation in Europe (OSCE) and other international actors;
 - 3.2. provides full support to the United Nations in its efforts to broker a new mandate for the United Nations Observer Mission in Georgia (UNOMIG);
 - 3.3. adopts an action plan, in particular with specific activities focused on the protection and promotion of human rights and humanitarian standards in South Ossetia and Abkhazia and examines how the Council of Europe can be present in these two regions, either in its own right or as part of another international mission run by the UN or others;
 - 3.4. provides full support and funding to the Council of Europe Commissioner for Human Rights activities and programme in South Ossetia and Abkhazia;
 - 3.5. ensures that the regular reporting requested by the Committee of Ministers to the Secretary General on the human rights situation in the areas affected by the conflict (requested at the 1048th meeting of the Deputies on 11-12 February 2009), takes fully into account the humanitarian concerns, including those of new and old internally displaced persons (IDPs), in this reporting exercise. Furthermore the reporting should cover all the areas affected by the conflict in Georgia, including the regions of South Ossetia and Abkhazia, and also North Ossetia and the plight of new and old refugees and displaced persons in all these areas.
 - 3.6. take initiatives to build up a dialogue and trust between all parties and including all parties to the conflict and the international community
 - 3.7. support civil society initiatives essential for empowerment of the people, especially young people, and the development of society, in order to ensure a strong human rights and humanitarian culture in the former conflict zones.

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C. Explanatory memorandum by Mrs Corien W. A. Jonker, rapporteur

I. Introduction

1. The Parliamentary Assembly adopted in January 2009 Resolution 1647 on the implementation of Resolution 1633 (2008) on the consequences of the war between Georgia and Russia, and Resolution 1648 on the humanitarian consequences of the war between Georgia and Russia. This report is intended as a follow up to Resolution 1648, providing, in particular, a more in-depth examination of the humanitarian situation in South Ossetia¹.

2. In order to prepare the report, the rapporteur visited North Ossetia on 12 and 13 March 2009 and South Ossetia on 13 and 14 March 2009. The report is based on the findings of the rapporteur during the course of her visit and also on the information she gathered during her past work on the issue of the humanitarian consequences of the war between Georgia and Russia (see her Opinion on the consequences of the war between Georgia and Russia (Doc.11730) and the report on the humanitarian consequences of the war between Georgia and Russia (Doc. 11789)).

3. To enter South Ossetia, the rapporteur had to organise her visit through Russia from the North (via the Roki tunnel). This trip was organised with the assent of the Georgian authorities. The Georgian authorities in giving their assent took into account that the rapporteur had initially sought to enter South Ossetia from the South (via Ergneti) in November 2008, but had not been granted access by the *de facto* South Ossetian authorities.

4. The rapporteur would like to thank the persons who assisted her in the preparation of her visit and her report. She would like to thank the Georgian and Russian authorities and Parliamentary Delegations for facilitating the visit. She would also like to thank the North Ossetian authorities and Parliament and the *de facto* South Ossetian authorities and the *de facto* Parliament for their co-operation, hospitality and frankness, as well as for the logistical assistance and security that they provided. The rapporteur was accompanied throughout her visit to South Ossetia by Mr Juri Dzitstsoy. The rapporteur would furthermore like to thank the different non governmental organisations, the International Committee of the Red Cross (ICRC) and the *de facto* Ombudsman of South Ossetia for the information and time that they provided.

5. The focus of this report is humanitarian issues. The rapporteur, as in her last report, has chosen to steer away from political issues arising from the conflict. She has not sought to adjudicate on human rights violations or international humanitarian law violations committed by both sides in the context of the war. The rapporteur supports all calls, including by the Commissioner for Human Rights of the Council of Europe, for an independent and impartial investigation of all violations of international humanitarian law and human rights during and after the conflict.

II. Approach to the report

6. The rapporteur has, in the first part of this report, focussed on the current humanitarian situation in South Ossetia. Where information has been available to her, she has provided information on the occupied region of Akhalkalaki. In the second part of her report she has provided a brief update on some of the most

¹ In this document, the terms "South Ossetia" and "Abkhazia" are used for readers' convenience, without prejudice to the Assembly's position on the territorial integrity of Georgia.

important issues raised in the earlier report (Doc. 11789). For a full understanding and a balanced view of the overall humanitarian consequences of the war it is necessary to take into account both the earlier report and this report.

III. Part 1 - South Ossetia

i. Visit to South Ossetia

7. The rapporteur, as part of her fact finding travelled to Moscow on Wednesday 11 March and had meetings with representatives of the ICRC, Human Rights Watch and the NGO Memorial.

8. On Thursday 12 March she travelled to Vladikavkaz in North Ossetia where she was hosted by the Deputy Speaker of the Parliament of North Ossetia (Mr Gesayev) and by the *de facto* South Ossetian Deputy Speaker (Mr Dzitstsoyty). She had meetings with persons from the North Ossetian Ministry of Migration Affairs and met with displaced persons and representatives of local non-governmental organisations to discuss the situation of displaced persons and refugees from the recent and earlier conflicts.

9. On Friday 13 March, the rapporteur travelled to South Ossetia via the Roki tunnel. She visited a number of villages previously controlled by the Georgian authorities in the Didi Liakhvi Valley (valley leading into Tskhinvali from the North, and the Prone Valley (leading Westward from Tskhinvali). She met with Mr Kokoity, the *de facto* President, Mr Dzhioev, the *de facto* Minister of Foreign Affairs, and Mr Gabaraev, the *de facto* Minister responsible for housing and health. She also had a meeting with the ICRC.

10. On Saturday 14 March, the rapporteur met with Mr Sanakoev, the *de facto* Ombudsman, visited two collective centres for displaced persons, had meetings with local NGOs and visited the Patara Likhvi Valley, East of the city, visiting a number of villages formerly under the Georgian authorities' control. She ended her visit by exiting from the South at Checkpoint No 1. at Ergneti.

11. The *de facto* South Ossetian authorities were welcoming and helpful and took the rapporteur wherever she wanted to go and arranged for her to meet with whoever she wanted to meet. The only exception was Akhagori, which the rapporteur had requested to visit by helicopter. The *de facto* authorities did not provide a helicopter for reasons which they claimed were outside their control but they did agree to provide the rapporteur with appropriate road vehicles to drive her there. This alternative was however not practical due to the time this journey would take (10 hour round journey) and the length of time available to the rapporteur.

ii. The humanitarian situation of the people living in South Ossetia

a. Immediate humanitarian needs

12. It is estimated that approximately 50,000 persons remain in South Ossetia, of whom 35,000 live in Tskhinvali.

13. In the aftermath of the war, the immediate and urgent basic humanitarian assistance was provided by the Russian Ministry of Emergency Situations (EMERCOM) and by the ICRC.

14. The ICRC provided assistance to 14,000 priority cases, approximately one third of the total population remaining in South Ossetia. At the end of December 2008, the ICRC decided not to carry out a second distribution of food and emergency assistance as the basic needs had been catered for and this was not required. However, 100 vulnerable persons were identified and continue to receive direct assistance from ICRC.

15. Priority for the ICRC is now on recovery and creating income generating projects, such as tools to allow farming to recommence. They will support several hundred income generating projects with grants provided of up to approximately \$ 1,000.

16. Over the winter the most pressing problem was heating, and the supply of gas, electricity and water. Notwithstanding that the gas-line dispute between Tbilisi and Tskhinvali appeared to have been solved in February, with the assistance of the OSCE, gas supplies remained cut off most of the time until the day before the rapporteur visited the region on 13 March 2009. The rapporteur understands that the immediate problem is now solved. For the future she has been informed of plans to build a gas pipeline from the Russian Federation to Tskhinvali, which, according to the *de facto* authorities, should be ready by the end of 2009.

b. Medical assistance

17. Medical assistance is still needed, although there are, reportedly, adequate supplies of medicines. Equipment and training of medical staff is a problem. The main hospital in Tskhinvali was damaged during the war and ICRC plans to provide assistance to ensure clean water supply to the hospital. The ICRC has facilitated the evacuation of serious medical cases via the South, but for the most part those in need of specialist treatment have to seek this treatment in the Russian Federation. The South Ossetian *de facto* authorities have a budget allocated by Moscow for such treatment to be carried out. Notwithstanding these arrangements, it is clear that the restrictions on crossing the administrative border have severe implications on those with serious or urgent medical conditions, and the rapporteur urges the authorities on both sides to take a flexible stance, without discrimination on the basis of ethnicity, where urgent or serious medical treatment is required.

c. Reconstruction

18. One of the urgent needs is reconstruction. In Tskhinvali a noticeable number of buildings have been re-roofed. There are also new windows appearing in many buildings. There however remains much reconstruction to be done. The authorities informed the rapporteur that an agreement was days away from signing with the Russian Ministry of Finance which would allow re-building not just of war damaged properties but also other properties which have been neglected over the last decades. 10 billion Russian roubles was given as a figure. This contrasts with the sum of 1.5 Billion Russian roubles which has already been provided by Russia from this sum since the conflict erupted.

19. The rapporteur is however aware that differences exist between the Russian and the South Ossetian sides over how this assistance is to be provided and who is to be responsible for the implementation of this assistance and recent reports in the press indicate that agreement on the provision of this assistance might be delayed.

20. Fear of corruption is an issue in the distribution of aid and assistance. The *de facto* authorities, when questioned on this matter, explained that there was great difficulty "digesting" the first aid received. There were no clear avenues of distribution and mistakes were made. Indications were given that some criminal investigations could be opened as a result of mishandling of aid. The current position is that a 15 member Inter-Agency Commission for Assistance of the Wounded, Sick and Other Civilians, has been established. This Commission is responsible for prioritising and categorising the recipients of aid. About 10,000 persons are treated as priority cases within 7 categories (those with destroyed houses, vulnerable persons, etc). Most of the aid so far received has come from different Russian regional entities and the authorities now claim to guarantee transparency (publishing computerised lists of aid received and distributed) in the distribution of this aid. Aid is welcome as long as it is from the North.

21. The *de facto* authorities expressed concern that they wanted to avoid creating a situation of aid dependency and avoid destabilising further the economy. They were anxious to create jobs and make good use of the land, for example through organic farming.

22. The rapporteur welcomes the generous approach of the Russian Federation in the provision of aid and hopes that the negotiations under way for further aid are not delayed and that the aid and assistance is implemented in a transparent fashion. The rapporteur urges the *de facto* South Ossetian authorities to adopt a flexible approach to the delivery of aid and assistance and to also allow this from other countries, including via the South.

d. Reception centres

23. The rapporteur was given the opportunity to visit two (Former Touristic Base "Ossetia" and the "Former Technical School") of the eight collective centres for long term displaced persons where approximately 3,000 people still live from the earlier conflict. These centres were shabby but relatively well kept inside. For example wiring had recently been updated and communal areas were clean and tidy. Families were provided with more than one room. Residents did not complain about the conditions in the accommodation but wanted to know when long term housing solutions could be found for them.

24. The rapporteur was made aware that the conditions in these centres were probably better than in some of the other centres. While the conditions she witnessed were relatively good, they were still totally inadequate for the long term accommodation of the residents, and the rapporteur urges the *de facto* authorities to ensure that, when reconstruction takes place that priority is also given to re-housing all the persons resident in these collective centres.

e. *Family reunification*

25. Family reunification across the administrative border has been promoted by the ICRC and since the end of the conflict about 310 persons have been transferred and reunified. This movement has been both ways, but mostly from the North to the South. The rapporteur hopes that both sides will continue to show understanding and continue to facilitate this process.

f. *De-mining*

26. De-mining was carried out immediately after the war by the Russian forces. A recent incident in which two children from a collective centre were injured has raised awareness that there is an ongoing need to educate children of the dangers that still exist from unexploded mines and ordnance. EMERCOM are undertaking an education programme for all school children and the ICRC has offered its support for this. The rapporteur is aware however that a one off education programme will not be sufficient and that awareness raising should be treated as an ongoing need for children while risks still exist.

iii. *Destroyed villages previously under the control of the Georgian authorities*

27. The rapporteur drove through and visited a number of villages previously under the control of the Georgian authorities. These included villages on the road from the North towards Tskhinvali in the Didi Liakhvi Valley, including Kekhvi, Kurta and Tamarasheni; Villages West of Tskhinvali in the Prone Valley, including Avnevi and villages East of Tskhinvali in the Patara Likhvi Valley, including Eredvi and Vanati.

28. These villages no longer exist. There is only rubble and no sign of any belongings left in the remnants of the houses. The rapporteur did find occasional isolated houses which had been left intact. In two of the houses still standing she spoke with residents who were of mixed South Ossetian and Georgian background. They were unable to tell her what had happened to the properties around them, apart from indicating that they had been damaged by young men in the night. The *de facto* authorities, when questioned on the issue, responded that many of the houses had been destroyed in fighting and the Georgians who fled had set fire to their own houses rather than have them taken over by the South Ossetians. They did however acknowledge that some damage was done after the Georgians had withdrawn by South Ossetian individuals.

29. The rapporteur does not exclude that a number of houses were damaged in the conflict before the Georgian's withdrew. However, the systematic destruction of every single house is a clear indication that there has been an intention to ensure that no Georgians have a property to return to in these villages. In the view of your rapporteur, whether this was carried out following instructions by the *de facto* authorities, or whether this was done by individuals with the *de facto* authorities or the Russian Federation armed forces taking no action, makes little or no difference. The end result has been to ensure that no Georgians can return to these villages, and supports the accusation that these villages have been "ethnically cleansed" of Georgians.

30. The rapporteur is greatly concerned by the lack of accountability in South Ossetia for acts such as the destruction of property and looting. She understands that a tougher line on the issue is now being taken. She understands that seven criminal cases have been opened along with 70 administrative cases (less serious cases of handling stolen or looted property).

31. In view of the nature and scale of damage and looting of property, the number of cases opened is extremely low and disappointing. The rapporteur insists that the *de facto* authorities prosecute the few existing cases with firmness, and that they actively seek to prosecute new cases for which they have evidence, in order to punish those involved and pass the message that persons will be held accountable for their actions.

iv. *Returns*

32. The rapporteur raised with the *de facto* President, Mr Kokoity, the issue of return of persons of Georgian ethnic origin. The latter explained that returns would be guided by principles of international law and dependent on three conditions. The first condition was that security needs to be guaranteed. The second condition is that returns have to be voluntary and the third is that adequate living conditions must be available. He explained further that certain persons, who were already under investigation by the Prosecutor's office, would never be allowed to return in view of their criminal activities before and during the conflict. This message was also echoed by *de facto* Ombudsman of South Ossetia, Mr Sanakoev.

33. Persons from certain villages previously under Georgian control, such as those directly North of Tskhinvali in the Didi Liakhvi Valley, where the Georgian local administration was based, would appear to be less welcome to return. By contrast, and as an anecdote, one of the remaining South Ossetian villagers in a Georgian village in the Prone valley said "It would be nice to see people come back. I lived my life with them. My Georgian neighbours never did anything bad."

34. The *de facto* authorities have said they are prepared to provide compensation to persons who return and they have indicated that returns will also be organised for persons who have been displaced or sought asylum in North Ossetia during the recent or earlier conflicts.

v. *Georgians in South Ossetia*

35. The rapporteur was interested in finding out the extent to which there were persons of ethnic Georgian background still remaining in South Ossetia. She met with two ethnic Georgians of mixed marriages in two of the villages she visited. She also met with four ethnic Georgians in the centres for displaced persons she visited. She was informed by one independent source that there were two to three thousand ethnic Georgians (mostly in mixed marriages or elderly) living in Tskhinvali. None of the few ethnic Georgians she met complained about their situation. The rapporteur does not have sufficient information to draw any conclusion on the treatment of the remaining ethnic Georgians in South Ossetia. The situation of ethnic Georgians in the region of Akhmagori is examined later in the report.

vi. *Security*

36. Security is one of the overriding concerns, not only of the *de facto* authorities, but also of the people in the street, many of whom the rapporteur spoke to. They fear a further attack by the Georgian army. They are also concerned by cross administrative border incidents. They believe that Georgian troops are once again building up in zones close to the administrative border and they allege that the European Union Monitoring Mission (EUMM), is turning a blind eye to this military build up.

37. The rapporteur considers that these concerns need to be addressed as rapidly as possible, in particular for the sake of the general population of South Ossetia. More openness by EUMM on the results of its monitoring would help, and other steps have to be taken to show that EUMM acts impartially. The proposals for joint incident reporting which were agreed in the February Geneva talks represent a possibility for improving security, but the rapporteur is informed that little or no action has been taken to put these into practice.

38. It is the view of the rapporteur that the issue of security is tied in with the issue of international monitoring. The rapporteur considers that until such time as a monitoring and peace keeping formula acceptable to all parties is agreed, little progress can be made on the issue of security on both sides.

vii. *Missing persons, detained persons and family reunification*

39. The rapporteur was made aware that the missing continued to be an issue of major concern to the population at large in South Ossetia. According to the ICRC several dozen Georgian and Ossetian persons remained missing. One Russian officer was still missing in action and attempts were being made to establish the identity of this missing officer using DNA samples.

40. The issue of missing persons on all sides is being followed up by the Council of Europe Commissioner for Human Rights and the South Ossetian *de facto* Ombudsman and the Georgian Public Defender. The rapporteur encourages all parties concerned to continue their work to solve the issue of the missing, which is of major importance not only to the families concerned but also deeply affects the population at large.

41. In terms of persons in detention, the rapporteur was informed by the South Ossetian *de facto* Ombudsman that 15 South Ossetians were being held in detention by the Georgian authorities (4 persons from the hostilities, the remainder from after the end of the hostilities). The Georgian authorities, according to him, have accepted they hold 8 of the persons concerned but indicate that they hold no record of the 7 other persons. Recent reports that 3 of the 7 non identified prisoners have been identified in a Georgian prison have not been confirmed by the Georgian authorities. Your rapporteur understands that clarification on the whereabouts of the 3 persons allegedly found is still underway, also with the involvement of the Council of Europe Commissioner for Human Rights, and she hopes that these and other unidentified persons, on all sides, will ultimately be identified.

42. The rapporteur also understands that the problem of hostage taking² and private detention continues to exist, and reiterates her call for this practice to be stamped out and prosecuted.

43. The rapporteur is aware that both the Georgian side and the South Ossetian side disagree on the motives of detention (terrorism, hostage taking, mistaken administrative border crossing, etc.) of many of those being held. The rapporteur is not in a position to judge on this issue and considers it extremely important that the respective ombudsmen and the Council of Europe Commissioner for Human Rights continue to work on this issue.

44. The rapporteur did raise with the *de facto* President, Mr Kokoity, the issue of two persons from Akhagori, a school teacher Tamar Charaeva and a member of the local administration Givi Chigoev, who had recently been arrested on charges of treason. The rapporteur was informed that the two persons concerned would be treated with clemency and that charges would not be pressed. These persons were released a week after the rapporteur's visit.

45. The rapporteur understands that the ICRC has been able to visit these persons and continues to monitor their situation. It is extremely important that the *de facto* South Ossetian authorities agree to ICRC having free access to all persons in detention in accordance with ICRC's modalities. The rapporteur understands that discussions are underway on this issue and she encourages the *de facto* authorities to conclude these discussions positively with the ICRC as soon as possible.

46. In the same light, the rapporteur considers that the European Committee for the Prevention of Torture (CPT) also has an important role to play in visiting persons in detention in South Ossetia, and she encourages the *de facto* authorities to co-operate fully with the CPT and to provide them with full and unhindered access to all places of detention.

viii. Mistrust of the international community

47. Within South Ossetia, there is clearly great mistrust of the international community. This is mentioned as the reason why access to the region by international organisations is such a problem. This mistrust is manifested both at the level of the *de facto* authorities but also in the streets. During the visit, the rapporteur's attention was constantly being drawn to the fact that Georgian troops attacked Tskhinvali, and that the international community allegedly did nothing to prevent these attacks, notwithstanding the different warnings they received. The international community and the European community are seen clearly as being pro-Georgian and anti-Russian and anti South Ossetian.

48. While the rapporteur considers that the *de facto* South Ossetian authorities shoulder at least partly the responsibility for this ongoing mistrust amongst the general population (for example they have not engaged with the international and European community), the situation remains that the general population continues to be deeply mistrustful of the international and European community.

49. The international and European community need to take steps to build up trust. This can be done in small ways, but for this to happen, the isolation of South Ossetia needs to be tackled and both the *de facto* South Ossetian authorities and the Georgian authorities need to be more flexible in their demands in this respect.

ix. Access to South Ossetia from the North and from the South

50. There is no sign of the *de facto* authorities in South Ossetia easing their restrictions on access to South Ossetia from the South. Similarly there is no sign of Georgia easing their restrictions on access to South Ossetia from the North. While this deadlock continues, it will have negative implications on humanitarian assistance and will further entrench positions on both sides of the administrative border and do nothing to remove the distrust that exists on both sides.

x. The occupied district of Akhagori

51. The rapporteur was unable to visit Akhagori (referred to strictly as Leningori by the *de facto* South Ossetian authorities) for the reasons mentioned in the introduction to this report. She was however able to speak to a number of sources, including independent sources, about the situation in Akhagori. These

² Allegations of hostage taking were received by the rapporteur from both the South Ossetian side and the Georgian side. The rapporteur considers that the respective Ombudsmen have a role to play, alongside the authorities in solving these problems and stamping out this practice.

conversations have allowed her to have a picture of the situation. However she considers it essential to visit the region at some stage in the near future in order to have a clearer picture of the exact situation.

52. Before the conflict erupted there were estimated to be around 7,700 persons in the district. It has now been estimated that there are around 2,000 to 3,000 persons remaining in the district, including persons both of South Ossetian and Georgian ethnic origin. According to the Georgian authorities 5,348 persons have left the Akhgori district.

53. Much of the remaining population of ethnic Georgian origin is elderly. Many persons prefer not to remain in the region and travel in and out. The administrative border is open for locals and there is one bus and 5 mini-busses a day crossing the administrative border.

54. Schools are open and functioning and all students are required to learn the Ossetian language and have history taught in Ossetian.

55. The medical infrastructure is poor and medical services are limited and persons who used to have easy access to Gori for medical treatment (including many persons of South Ossetian ethnic origin from villages such as Tsingari) have problems of passage and have to rely on the limited medical services available in Akhgori or go to Tskhinvali by a long back-route through the mountains or seek medical treatment in Russia.

56. According to the *de facto* South Ossetian authorities, and also according to independent sources, the South Ossetians do not want persons of Georgian ethnic origin to leave and empty the area. They would like persons to return and do not want to administer an empty territory.

57. According to independent sources, while there were paramilitary and security problems after the occupation of this territory, and while there do remain security concerns, including instances of looting reported by the Georgian authorities, the remaining population of Georgian ethnic origin is no longer being physically threatened and forced to leave.

58. Criminal cases have been opened concerning the beating of two persons of Georgian ethnic origin, one of whom died. The rapporteur calls on the *de facto* authorities to ensure that those responsible for these attacks or other attacks are brought to account. It is important that Russian occupying forces present in the region and the *de facto* authorities in South Ossetia take measures to guarantee the safety of the residents.

59. The *de facto* South Ossetian authorities have sought to ensure that the local administration is carried out by local persons from the region of Akhgori of South Ossetian ethnic origin and not by persons from Tskhinvali and a new budget for the region has been submitted.

60. According to information received by the rapporteur, the main concerns of the remaining Georgian ethnic population include the uncertainty of future restrictions on crossing the administrative border (contacts with family, access to pensions, trade, etc.), the uncertainty about the education system (the curriculum, language of instruction, etc.), the current passport policy (with persons being forced to take South Ossetian passports and the lack of information on the implication of having to take up South Ossetian passports), health care, etc. There are reports of discrimination, but according to independent sources, this is not carried out in an organised fashion by the authorities, but is rather due to actions by individuals.

61. The rapporteur considers that the *de facto* South Ossetian authorities, if they do not want persons to continue to leave the territory, and if they want persons to return, need to take urgent measures to meet the concerns of the local population.

62. There are reportedly many Russian troops in the Akhgori district. Some of these troops would appear poorly fed and hang around in an undisciplined fashion begging for food. While they are not directly threatening, the request for food from armed military is an unsettling and indirectly threatening experience.

63. There is very little external access to the district. The ICRC has access and travels regularly to the district and has been providing humanitarian aid and assistance. The rapporteur understands that there are onward going discussions on the ICRC opening up a branch-office in Akhgori, and the rapporteur strongly encourages both the ICRC and the *de facto* authorities to agree on this.

64. Researchers from Human Rights Watch did enter the region at the end of 2008 to collect information, but they were forced to leave by the authorities in the course of their work. The rapporteur considers it

essential that non governmental organisations should be allowed to carry out civil rights work freely in the region and provide first hand independent information on the situation in the region.

65. The situation in Akhlagori remains preoccupying for the rapporteur and it is for this reason that she would like the opportunity of visiting the district in the future. She intends, with the agreement of the Committee on Migration, Refugees and Population and the Assembly, to return to the district. However for this to happen she would also need the agreement of the relevant authorities.

xi. Perevi

66. The rapporteur understands that the situation in Perevi remains unchanged and that Russian occupying forces remain stationed outside the village, controlling the road and bridge leading from Perevi, thus making it difficult for locals to return to their normal life. She did not visit Perevi personally.

xii. Refugees and displaced persons in North Ossetia

67. The rapporteur, during the course of her visit, also had the possibility of collecting information in North Ossetia on the situation of refugees and displaced person in this region. This included information on those who arrived during the recent conflict and those who arrived following the previous conflicts.

68. According to the Ministry of Migration in North Ossetia, there are 12,490 displaced persons from the earlier conflicts and a further 70 persons have been given refugee status.

69. Following the August 2008 conflict, 33,000 to 38,000 persons from South Ossetia sought refuge and were registered by the authorities. Approximately 1,200 persons remain, staying in private residences. These persons are mainly elderly people, those whose houses have been destroyed or children or persons who remain for economic reasons.

70. In addition to these displaced persons, there is apparently a group of 1,500 persons, who, according to the Ministry, have applied for refugee status after fleeing Georgia. Amongst these persons there are 990 ethnic Ossetians, 221 ethnic Georgians (including a number of persons who refused to be drafted into the Georgian army and deserters) and 30 ethnic Russians. 887 decisions have been taken on these cases and 22 persons have been recognised as refugees. There are also 446 ethnic Chechen Kists who have sought refuge in North Ossetia from Georgia.

71. The rapporteur is greatly concerned by the conditions in which the long term displaced persons and refugees live in North Ossetia. The North Ossetian authorities themselves recognise that these conditions are not decent. 39 compact centres for these people exist, with accommodation provided in former hotels, warehouses and farm buildings. 10,000 persons are waiting to receive housing. To this can be added the problem that certain persons are stateless and others have lost their displaced persons status and have restricted access to assistance. The rapporteur has insufficient information to be able to comment further on the situation of these persons, but considers that their plight and those of other displaced persons in the Northern Caucasus should be examined in the future by the Assembly and by the Committee on Migration, Refugees and Population.

72. In relation to persons who the North Ossetian authorities claim to have fled Georgia after or during the recent conflict, the rapporteur is concerned to understand further the reasons for their departure in such numbers.

IV. Part 2 - Update on some of the most important issues raised in the November 2008 report on the humanitarian consequences of the war between Georgia and Russia (Doc. 11789)

i. Internally displaced persons (IDPs) and humanitarian aid in areas under the control of Georgia

73. Out of 130,000 Georgians who were registered as IDPs after the August conflict, 104,000 returned to places of permanent residence after the withdrawal of Russian troops from Gori and Kareli districts, leaving 26,000 persons displaced in collective centres in Tbilisi and other regions of Georgia³.

74. In addition to these recent IDPs, the Georgian authorities indicate that there are 225,000 IDPs from the earlier conflicts, notably persons from Abkhazia. The lack of adequate housing remains the biggest concern

³ According to the Georgian authorities there are 19,381 IDPs from the former Autonomous District of South Ossetia, 1,983 persons from Upper Abkhazia and 5,348 persons from the Akhlagori district.

for the "old" IDPs. An estimated 70 % of the collective centres do not meet minimum living standards and may negatively affect the health and well-being of IDPs, especially the children and elderly.

75. In February 2007, the Georgian government adopted the State Strategy for IDPs in order to address the main needs of the IDPs, passing the Action Plan on the IDP strategy on 30 July 2008. In December 2008 an annex to the strategy was introduced in the light of the post August war situation. The main goal of the strategy is to provide durable housing solutions and increase the self-reliance of displaced persons. It is mainly focused on the process of self-privatisation of living units in Collective Centres by IDPs themselves. Although the international community welcomes this initiative (envisaged as one of the durable solution options in the Action Plan on IDPs that was annulled with the same ordinance that was passing the Annex to the Strategy) the approach toward the overall process remains of concern. Self-privatisation has been initiated swiftly and independently from the rehabilitation of Collective Centres. As there was no accompanying information campaign elaborating the provisions of privatisation or informing of alternative options, IDPs are not in a position to make an informed decision regarding privatisation. Given that this approach (self privatisation of collective centres) does not provide adequate or suitable space per family, there is still need to pursue the search of durable solutions for IDPs currently residing in collective centres.

76. According to the Georgian authorities, residential houses have now been constructed in different regions of Georgia, mainly in Shida Qartli, Qvemo Qartli and Mstkheta-Mtianet and, in addition, already existing buildings have been transferred into residential buildings. Currently there are 38 new settlements where 18,000 IDPs reside. Some 1,000 families have received monetary aid and the rest of the IDPs remain in collective centres and with host families around Tbilisi, waiting for reconstruction of their destroyed homes, to be moved to the new settlements or receive compensation. This group of IDPs, who are living in temporary places and whose housing issues are not yet decided, is a particularly vulnerable group in need of assistance.

77. The rapporteur welcomes the efforts of the Government to provide housing and shelter for the IDPs and also its attempts to get people back into their homes. She is however concerned at some reports of persons being forced to return to their homes.

ii. The Law on the Occupied Territories

78. The rapporteur welcomes that the European Commission for Democracy through Law (the Venice Commission) has provided expert comments on this law and its compliance with international human rights and international humanitarian law standards. This law restricts access to South Ossetia and Abkhazia for foreigners and stateless persons. The law applies to third country nationals, including personnel from international organisations and NGOs and Russian citizens. Whether the law applies to those living in the concerned regions and who recently obtained Russian citizenship is unclear. The Venice Commission notes that if the law is applied to personnel from international organisations and NGOs, it must be assured that this will not hinder or complicate the provision of humanitarian aid. The Venice Commission further notes that, if Russia is considered to be an occupying power, then Russia is obliged to provide aid and shelter and must not be hindered in fulfilling this duty.

79. The law prohibits a large range of economic activities and seeks to create criminal responsibility on those undertaking such activities. This provision has been criticised by the Venice Commission along with provisions which restrict the provision of humanitarian aid and also the specific concerns mentioned in relation to free movement, real estate property rights, economic activities and the non recognition of the acts of State of non-recognised states. The rapporteur urges the Georgian authorities to take note of the comments by the Venice Commission and amend the law and ensure that in its implementation, the Venice Commissions concerns are taken fully into account.

iii. The situation in the former so called buffer zone with South Ossetia

80. The security close to the administrative border remains problematic notwithstanding that the frequency of incidents has diminished during the winter months. Some persons have still not returned to the area and many persons continue to feel insecure and fear sniper fire, kidnappings and roaming militia from South Ossetia. Collection of firewood remains a problem for some families. On 10 February 2009, an OSCE military monitoring patrol was detained by South Ossetian militia. On 16 January a policeman was fatally shot and on 27 February two ethnic Georgians were allegedly kidnapped by South Ossetian separatists. The South Ossetian *de facto* authorities maintain that these persons were arrested when illegally crossing the administrative border. The rapporteur considers that this issue should be sorted out as a priority by the relevant ombudsmen with the help of the Council of Europe Commissioner for Human Rights, as appropriate.

81. The rapporteur considers it necessary to recall the concerns she raised in her previous report on the very real danger and ease with which confrontations at the administrative border could quickly get out of hand. Many of the checkpoints have armed Georgian police and South Ossetian forces facing each other at short distances. There is a clear need for other solutions, such as international peace keepers and a demilitarised zone on the administrative border.

82. The rapporteur repeats her concern for progress to be made on the joint incident prevention and response mechanisms proposals put forward at the Geneva talks on 17-18 February 2009.

iv. The situation in Abkhazia and the Kodori Valley

83. The Commissioner for Human Rights visited Abkhazia from 9-11 February 2009. He concluded after his visit that an international presence was of the utmost importance and that the technical extension of the UN mandate up to 15 June 2009 was insufficient to ensure security in the former conflict zone. He expressed the view that an international presence must be more meaningful and substantive in terms of providing security and humanitarian and human rights protection for the population and he also underlined the need for enhancing security measures and for informing internally displaced persons of their rights and options.

84. The rapporteur agrees fully with the Commissioner for Human Rights on this issue. She furthermore considers that the main concerns raised in her earlier report, notably restrictions on movement across the administrative, border rights protection, including education rights for ethnic Georgians in the Gali region, and passport and citizenship issues, remain relevant and in need of urgent attention.

85. The rapporteur continues to urge the Council of Europe to be fully involved in Abkhazia and provide support for any international presence negotiated for the region. The rapporteur welcomes the recent visit of the Council of Europe Commissioner for Human Rights to the region in February 2009, and looks forward to the publication of his report.

86. Concerning the Kodori valley, according to the Abkhaz *de facto* authorities, 180 civilians still live in the region (130 according to ICRC, 150 according to Georgian authorities). The humanitarian situation in the Kodori valley has been severe due to the harsh winter conditions in the high altitudes. Public services, such as drugstores, etc, were destroyed and have not been rebuilt. The road connecting the valley with Georgian central government controlled territory remains closed and the rapporteur calls for this road to be reopened so that humanitarian access can be guaranteed more easily and to allow residents to travel freely.

87. The rapporteur considers that the return of the persons who fled should be a priority now that spring has arrived and pressure should be put on the *de facto* Abkhaz authorities and the Russian authorities to ensure that this return takes place in safety and in dignity.

88. The rapporteur condemns the recent incident in which 50 Georgian families were evicted from the village of Otobaia in the Gali district by Abkhaz militias. According to the Georgian Interior Ministry, but disputed by the Abkhaz *de facto* authorities, the families were prevented from returning to their homes until they handed over a young resident who had refused to enroll in the so called Abkhaz army. The rapporteur understands that the families have now returned, although there is still a dispute over the return of the young resident over whom the dispute started.

v. The role of the European Union Monitoring Mission (EUMM)

89. The rapporteur notes that the EUMM monitors still have no possibility for crossing the administrative border into South Ossetia or Abkhazia. She also regrets that the monitors only have a monitoring mandate and not a protection mandate. With uncertainty as to the future of UNOMIG and with the closure in process of the OSCE Mission to Georgia, the role of the EUMM will become even more important.

90. There is an urgent need for monitoring of the situation in and around the former conflict areas and for protection to be offered to the civilian population on both sides of the administrative borders.

91. The rapporteur is frustrated and puzzled over the fact that the EUMM still does not share its reports. At the moment its work is carried out largely in a vacuum with reporting being made available to only a privileged few in Brussels. More openness by the EUMM in its reporting would not only help international actors such as the Council of Europe in following security concerns, but could also lead to a greater understanding by persons in the region of the realities on the ground and give them more confidence in the work of the EUMM.

92. The rapporteur understands that there has recently been a rotation of monitors in the EUMM, as the term of duty of a number of monitors has come to an end. Many of the new monitors are not trained in human rights monitoring and the rapporteur considers that it is essential that they receive appropriate training, either from the Council of Europe, as in the past, or from other international actors.

vi. The role of the OSCE

93. The rapporteur welcomes that the OSCE participating states have agreed to extend the presence of the organisation's unarmed military monitoring officers until 30 June 2009. She however regrets that no consensus could be reached on the continuing presence of the full OSCE mission to Georgia, as Russia would not accept the proposed scheme of parallel field offices in Tbilisi and Tskhinvali, but called for separate presences of the OSCE in Georgia and in Tskhinvali.

94. The rapporteur welcomes the availability of OSCE daily reports and weekly reports provided by OSCE monitoring officers and recognises the valuable role recently played by the OSCE in ensuring that gas supplies resume to the population of Tskhinvali. She hopes that the monitoring work of the OSCE will be extended further.

V. Conclusions

95. The humanitarian consequences of the war between Georgia and Russia are far from solved. Tension remains high and there is ongoing fear on all sides of a renewal of hostilities.

96. While the immediate urgent humanitarian needs were dealt with over the winter, there is now a need to find solutions for the displaced persons and refugees who can not return in the near future. Voluntary return should be treated as a priority where this can be guaranteed in accordance with international law standards.

97. The future for international assistance, monitoring and peace-keeping in the region remains unclear and, as a priority, solutions need to be found to ensure an effective international presence remains in the region providing guarantees for security, human rights and the humanitarian needs of all.

98. One of the greatest dangers is that the administrative border close completely. This will not only create isolation, it will also cause an exodus of persons of Georgian ethnic origin from the Gali and Akhagori regions.

99. South Ossetia and Abkhazia are isolated regions, politically and geographically. This has repercussions on aid and assistance and also on information going into the regions and information coming out of the regions. This means that the world is not well informed about what is happening in the two regions and the population living in the two regions is not well informed about the concerns and position of the international community.

100. New solutions need to be found to open up dialogue between the international community and the *de facto* authorities and people of South Ossetia and Abkhazia. Both Georgia and Russia have a responsibility to see this happen.

Reporting committee: Committee on Migration, Refugees and Population

Reference to committee: Reference No. 3326 of 30 January 2009

Draft resolution and draft recommendation adopted by the committee on 27 March 2009, with one abstention

Members of the committee: Mrs Corien W.A. **Jonker** (Chairperson), Mr Hakki Keskin (1st Vice-Chairperson), Mr Doug Henderson, (2nd Vice-Chairperson), Mr Pedro **Agramunt**, (3rd Vice-Chairperson), Mrs Tina Acketoft, Mr Francis Agius, Mr Ioannis Baniias, Mr Alexander van der Bellen, Mr Márton Braun, Mr André Bugnon, Mr Sergej Chelemendik, Mr Vannino Chiti, Mr Christopher Chope (alternate: Mr Bill **Etherington**), Mr Boriss Cilevičs, Mr Telmo Correia, Mrs Claire **Curtis-Thomas**, Mr David **Darchiashvili**, M. Arcadio **Díaz Tejera**, Mr Mitko Dimitrov, Mr Vangjel Dule, Mr Tuur Elzinga (alternate: Mr Pieter **Omtzigt**), Mr Valeriy **Fedorov**, Mr Oleksandr Feldman, Mme Doris **Fiala**, M. Bernard Fournier, Mr Paul Giacobbi, Mrs Gunn Karin Gjøl, Mrs Angelika Graf, Mr John **Greenway**, Mr Andrzej Grzyb, Mr Michael Hagberg, Mrs Gultakin Hajibayli, Mr Davit Harutyunyan, Mr Jürgen Herrmann, Mr Bernd Heynemann, Mr Jean Huss, Mr Tadeusz **Iwiński**, Mr Mustafa Jemiliev (alternate: Mrs Oksana **Bilozir**), Mr Tomáš Jirsa, Mr Reijo Kallio, Mr Ruslan Kondratov (alternate: Mr Ivan **Savvidi**), Mr Franz Eduard Kühnel, Mr Andros Kyprianou, Mr Geert Lambert, Mr Pavel Lebeda, Mr Younal Louffi, Mr Arminas **Lydeka**, Mr Andrija Mandić, Mr Jean-Pierre Masseret, Mr Slavko Matić, Mrs Nursuna Memecan, Mrs Ana Catarina Mendonça, Mr Gebhard **Negele**, Mr Hryhoriy **Omelchenko**, Mr Alexey Ostrovsky, Mr Grigore Petrenco, Mr Jørgen **Poulsen**, Mr Cezar Florin Preda, Mr Milorad Pupovac, Mrs Mailis **Reps**, M. Gonzalo **Robles**, Mr Branko Ružić, Mr Giacomo Santini, Mr André Schneider, Mr Samad Seyidov, Mr Steingrímur J. Sigfússon, Mrs Miet Smet, Mr Dimitrios Stamatis, Mr Florenzo Stolfi, Mr Giacomo Stucchi, Mr Vilmos Szabó, Mr Dragan Todorović, Mr Tuğrul **Türkeş**, Mrs Özlem **Türköne**, Mr Michał Wojtczak, Mr Marco Zacchera, Mr Yury **Zelenskiy**, Mr Andrej **Zernovski**, ZZ... (alternate: Mr Frank **Fahey**).

N.B.: The names of the members who took part in the meeting are printed in **bold**.

Secretariat of the committee: Mr Neville, Mrs Odrats, Mr Ekström