Naciones Unidas A/HRC/26/G/5

Asamblea General

Distr. general
4 de julio de 2014
Español
Original: inglés

Consejo de Derechos Humanos
26º período de sesiones
Tema 4 de la agenda
Situaciones de derechos humanos que requieren la atención del Consejo

Carta de fecha 6 de junio de 2014 dirigida al Presidente del Consejo de Derechos Humanos por el Representante Permanente de Georgia ante la Oficina de las Naciones Unidas en Ginebra

Tengo el honor de informarle de la visita a Georgia de la Alta Comisionada de las Naciones Unidas para los Derechos Humanos del 18 al 22 de mayo de 2014 para examinar la situación de los derechos humanos en el país.

Durante su visita, la Alta Comisionada se reunió con el Presidente, el Primer Ministro, los titulares de las carteras de Asuntos Exteriores, Justicia, Interior, Asuntos Penitenciarios y Desplazados Internos de los Territorios Ocupados, Alojamiento y Refugiados, con la Primera Viceministra de Estado de Reconciliación e Igualdad Cívica, el Presidente del Tribunal Supremo, el Presidente del Parlamento y el Defensor del Pueblo, así como con representantes de la sociedad civil, el equipo de las Naciones Unidas en el país y representantes de la comunidad internacional.

En el marco del programa, la Alta Comisionada visitó un asentamiento para desplazados internos, así como la línea de ocupación, donde tuvo la oportunidad de inspeccionar la situación sobre el terreno y las novedades relativas a la instalación ilegal de cercas de alambre de púas. Estas actividades ilegales, llevadas a cabo por las fuerzas de ocupación rusas, constituyen una flagrante violación de las normas y principios del derecho internacional, la integridad territorial de Georgia y el acuerdo de alto el fuego suscrito por Georgia y Rusia el 12 de agosto de 2008 con la mediación de la presidencia francesa de la Unión Europea, así como del derecho a la libre circulación y otros derechos civiles, sociales, económicos y culturales de los habitantes de las regiones ocupadas de Georgia y las zonas adyacentes. Estas acciones resultan especialmente inquietantes dada la gravedad de la situación actual en materia de seguridad y derechos humanos, y la ausencia de mecanismos internacionales de supervisión en las regiones ocupadas de Georgia.

En este contexto, tengo el agrado de adjuntar un fragmento de la declaración realizada por la Alta Comisionada durante una conferencia de prensa celebrada en Tbilisi el

GE.14-07399 (S) 170714 170714
1407399

Se ruega reciclar

21 de mayo de 2014, sobre la situación en Abjasia (Georgia) y en la región de Tskhinvali en Osetia del Sur (Georgia) (véase el anexo)*.

Le agradecería que tuviera a bien hacer distribuir la presente carta y su anexo** como documento del 26º período de sesiones del Consejo de Derechos Humanos, en relación con el tema 4 de la agenda.

(Firmado) Shalva **Tsiskarashvili**
Representante Permanente

* La declaración completa puede consultarse en el sitio web de la Oficina del Alto Comisionado en www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14624.

** El documento se reproduce como se recibió, únicamente en el idioma en que se presentó.

Anexo

[Inglés únicamente]

Extract from the press conference held by the United Nations High Commissioner for Human Rights in Tbilisi on 21 May 2014

"... Now to move on to an issue that remains a huge and painful wound for all the country's citizens, namely the situation in Abkhazia, Georgia, and the Tskhinvali region, or South Ossetia, Georgia.

In spite of repeated efforts and the urging of the UN Secretary-General[1], my Office has consistently been denied access to Abkhazia and South Ossetia. I myself have made efforts to visit, but once again access was denied.

My visit yesterday to an IDP settlement, and to the Administrative Boundary Line with South Ossetia, has confirmed my view that more attention needs to be paid to the situation of human rights in South Ossetia and Abkhazia.

Whereas some movement is allowed in and out of Abkhazia, especially to the Gali region, both for displaced people, returnees and for some UN agencies and other actors, South Ossetia has become one of the most inaccessible places on earth, with no access permitted for international agencies, except the ICRC.

This isolation has been growing in recent months. Since May 2013, razor wire and other forms of fencing, as well as additional watch towers and other monitoring equipment, have been set up by Russian guards along a stretch of more than 50 kilometers of the Administrative Boundary Line with South Ossetia. This is further impeding the right to freedom of movement for IDPs, and the enjoyment of rights to property, water, health, education and access to religious and cultural sites. In recent weeks, two more villages have been cut off from South Ossetia by the expanding barrier.

Civilians seeking to cross the Administrative Boundary Line are continuing to be unlawfully detained. Their detention may last for several days, and they are only freed on payment of substantial fines, often simply for attempting to visit their own property on the other side of the wire to harvest their crops, including the valuable local delicacy known as jonjoli, which for many is their sole source of income.

As I saw for myself yesterday, the effect on local villagers on both sides of the wire is devastating. I heard how two brothers who have ended up on different sides can now only communicate by shouting across the wire, and risk detention if they get too close to it. I heard how one teenage boy in South Ossetia was detained simply for handing a cup of water to a friend on the other side.

I talked across the razor wire to one very brave 80-year-old man, Davit Vanishvili, whose house is surrounded by the wire, and is suffering in many ways as a result. When his wife fell ill, he was unable to take her to the nearest hospital which is south of the ABL. He has been harassed and his grandson detained on several occasions because they persist in communicating across the wire.

[1] See the Secretary-General's 20 May 2013 report (A/67/869), Status of internally displaced persons and refugees from Abkhazia, Georgia and the Tskhinvali region/ South Ossetia, Georgia

According to the government of Georgia, since 1 May, restrictions on IDPs wishing to visit their property in Akhalgori in South Ossetia have grown more demanding. Those who filed applications inside South Ossetia before 1 May, are for the most part still not sure if they will be allowed to enter again. Those who missed the 1 May deadline can no longer get through the checkpoint they need to traverse in order to lodge their application.

In all, some 250,000 people remain internally displaced in Georgia, unable to return to their homes and lands – in the case of the 220,000 from Abkhazia, for more than 20 years. The Government, with the help of donors, has constructed good quality housing and established other essential facilities for many, though not yet all, of the IDPs, who also have unimpeded access to the labour market. However, the time has perhaps come to mainstream action in favour of IDPs into national and regional development programmes as most of their needs are the same, or very similar, to that of the non-displaced population.

I am particularly concerned about the human rights situation inside South Ossetia. Reports suggest that living conditions are poor and getting poorer, affecting economic, social and cultural rights. South Ossetia has become a black hole: very little is known about what goes on inside the region, as it has grown increasingly difficult for South Ossetians to come to other parts of Georgia, as well as for IDPs to visit the one part of South Ossetia where some visits had been allowed.

It is hard to see how this frozen, indeed worsening, situation is in anyone's interests. It is clearly affecting the human rights of many people – including the IDPs – and this is primarily the responsibility of the de facto authorities. My Office and other organizations would be willing to provide much more protection, if we were permitted to monitor the situation inside both South Ossetia and Abkhazia and to help provide legal remedies, especially for the most vulnerable people.

Unfortunately, as things stand at present, the inhabitants of Abkhazia and South Ossetia are not benefitting from the promise of significant human rights and rule of law reforms of the type that are currently being rolled out to Georgians, and which have been the prime focus of this mission. That is a matter of deep regret to me, and I hope for the sake of everyone that solutions to these hitherto intractable situations can be found."