

**Flygtningenævnets baggrundsmateriale**

|                                    |                                                |
|------------------------------------|------------------------------------------------|
| <b>Bilagsnr.:</b>                  | <b>120</b>                                     |
| Land:                              | Georgien                                       |
| Kilde:                             | Freedom House                                  |
| Titel:                             | Freedom in the World 2009 – Abkhasia (Georgia) |
| Udgivet:                           | 16. juli 2009                                  |
| Optaget på<br>baggrundsmaterialet: | 9. oktober 2009                                |

|                  |                                                                                                                                                                                                                                                     |
|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Title            | Freedom in the World 2009 - Abkhazia [Georgia]                                                                                                                                                                                                      |
| Publisher        | Freedom House                                                                                                                                                                                                                                       |
| Country          | Georgia                                                                                                                                                                                                                                             |
| Publication Date | 16 July 2009                                                                                                                                                                                                                                        |
| Cite as          | Freedom House, <i>Freedom in the World 2009 - Abkhazia [Georgia]</i> , 16 July 2009, available at:<br><a href="http://www.unhcr.org/refworld/docid/4a6452d8b.html">http://www.unhcr.org/refworld/docid/4a6452d8b.html</a> [accessed 7 October 2009] |

## Freedom in the World 2009 - Abkhazia [Georgia]

Capital: N/A

Population: 340,000

Political Rights Score: 5

Civil Liberties Score: 5

Status: Partly Free

### Overview

In March 2008, Russia withdrew from a 1996 treaty imposing sanctions on Abkhazia, and later substantially increased the number of Russian peacekeepers in the territory. While Georgian troops were occupied with a Russian invasion in August, Abkhaz forces captured the strategic Kodori Gorge, which had been under Georgian control. A French-brokered ceasefire between Georgia and Russia allowed the presence of additional Russian troops. However, in a move that was widely criticized internationally, Russia unilaterally recognized the territory's independence on August 26. Nicaragua was the only country to follow suit by year's end.

Annexed by Russia in 1864, Abkhazia became an autonomous republic within Soviet Georgia in 1930. After the 1991 collapse of the Soviet Union, Abkhazia declared its independence from Georgia in 1992, igniting a war that lasted nearly 14 months. In September 1993, Abkhaz forces, with covert assistance from Russia, seized control of the city of Sukhumi, ultimately defeating the Georgian army and winning de facto independence for the republic. As a result of the conflict, more than 200,000 residents, mostly ethnic Georgians, fled Abkhazia, and casualty figures were estimated in the thousands. An internationally brokered ceasefire was signed in Moscow in 1994, but the territory's final status remained unresolved.

Abkhaz president Vladislav Ardzinba ran unopposed for reelection in 1999, and a reported 98 percent of voters supported independence for Abkhazia in a concurrent referendum. Neither vote was recognized as legitimate by the international community. Deputies loyal to Ardzinba won all 35 seats in the 2002 parliamentary elections, after the opposition withdrew most of its candidates to protest bias by the election commission and state-backed media outlets.

After four months in office, Prime Minister Gennady Gagulia's government resigned in April 2003 under pressure from Amsakhara, an increasingly powerful opposition movement comprised mainly of war veterans. Defense Minister Raul Khadjimba succeeded Gagulia as prime minister, though Ardzinba refused to step down as president.

Former prime minister Sergei Bagapsh, leader of the opposition party United Abkhazia, defeated Khadjimba in the December 2004 presidential election, but he was pressured into accepting a January 2005 rerun with Khadjimba – who was backed by the Kremlin and Ardzinba – as his vice presidential running mate. The new ticket won the rerun with 91 percent of the vote.

In May 2006, de facto Abkhazia Foreign Minister Sergey Shamba and Georgian presidential envoy for the Abkhaz conflict, Irakli Alasania, agreed to restart a Georgian-Abkhaz council suspended since 2001. In a May council meeting in Tbilisi, Shamba unveiled a peace plan cautiously praised by Alasania and Georgian Minister for Conflict Resolution Giorgi Khaindrava. The same day, Georgian president Mikheil Saakashvili and Georgian Defense Minister Irakli Okruashvili visited a newly built Georgian military base in Samegrelo, near the Abkhaz border, troubling the Abkhaz side, which perceived the visit as highly symbolic.

In July 2006, Georgian troops occupied the strategic Kodori Gorge, the only portion of Abkhazia under Georgian control, after a Kodori-based Georgian paramilitary group refused orders from Tbilisi to disarm its fighters. The pro-Tbilisi government-in-exile for Abkhazia, composed of ethnic Georgians, was transferred to the gorge later that year.

A series of events in 2007 exacerbated tensions between Georgia and Abkhazia and prompted tit-for-tat accusations between Georgia and Russia as well. On March 11, the Kodori Gorge was struck by an antitank missile, with Georgian officials reporting that a Russian helicopter had invaded Georgia's airspace. On September 20, two Abkhaz militiamen were killed, and others captured, during a clash with Georgian Interior Ministry forces. Finally, on October 30, Georgian servicemen were detained by Russian peacekeepers in a Georgian-controlled town on Abkhazia's border.

Candidates from more than a dozen parties competed in the March 2007 Abkhaz parliamentary elections, and members of the three pro-Bagapsh parties captured more than 20 seats. Though opposition parties argued that Bagapsh had interfered with the election process, a number of opposition candidates were elected as well.

In January 2008, a UN Security Council report found that the relationship between the two sides of the Abkhazia dispute was at its lowest point since 1998. On March 6, Russia announced that it was withdrawing from a 1996 Commonwealth of Independent States (CIS) treaty that imposed sanctions on and banned links with Abkhazia, prompting Georgia to accuse Russia of moving toward annexation of the territory. That month, Saakashvili presented a peace plan, similar to one submitted in 2006, that the Abkhaz side rejected as "unacceptable."

Tensions mounted in April when Moscow decided to increase the number of Russian peacekeepers in Abkhazia to more than 2,500, drawing sharp criticism from NATO. Also that month, Georgia accused Russia of shooting down an unmanned Georgian drone over Abkhazia. A UN investigation in May found that the drone had been downed by Russia, and not by an Abkhaz jet as Russia claimed. A July 6 explosion in Gali, a region in Abkhazia with a large Georgian population, killed four people – including Gali's chief of security – and wounded six others. Abkhazia blamed Georgia for the attack, which Tbilisi denied. After war broke out in August between Russia and Georgia over South Ossetia, another breakaway Georgian region, Abkhaz forces captured the Kodori Gorge and an additional piece of Georgian territory along the Inguri River. Despite fears of ethnic-related violence or even ethnic cleansing of the region, no incidences of violence against the ethnic Georgian population in Gali was reported.

A French-brokered ceasefire between Georgia and Russia gave Moscow the right to deploy additional troops in Abkhazia and increased Abkhazia's international negotiation capabilities.

On August 26, Russia formally recognized both Abkhazia and South Ossetia as independent states. While the move was almost universally denounced by other countries and international organizations, it was expected to produce even closer

Abkhaz-Russian ties and stave off Georgian control over Abkhazia for the foreseeable future. By year's end, only Nicaragua had joined Russia in recognizing the two enclaves.

### Political Rights and Civil Liberties

Residents of Abkhazia can elect government officials, but the more than 200,000 Georgians who fled the region during the war in the early 1990s cannot vote in the elections held by the separatist government. [returnees in Gali region were able to vote 2004 presidential election. Gali – potential fifth column (Abkhaz); enemies (Georgia)] None of the polls have been recognized internationally.

The 1994 constitution established a presidential-parliamentary system, but the president exercises substantial control. The president and vice president are elected for five-year terms. The parliament, or People's Assembly, consists of 35 members elected for five-year terms from single-seat constituencies.

An ethnic Georgian government-in-exile has operated with the support of the Georgian authorities since Abkhazia achieved de facto independence in the 1990s. The entity moved from Tbilisi to the upper Kodori Gorge after Georgian forces reasserted direct control over the area in 2006, but Abkhaz separatist forces occupied the gorge in 2008. The government-in-exile was subsequently moved back to Tbilisi, with local branches in Samegrelo and Imereti.

Corruption in Abkhazia is believed to be extensive, and government officials are not required to provide declaration of income, a source of criticism from international nongovernmental organizations (NGOs). The republic was not listed separately on Transparency International's 2008 Corruption Perceptions Index.

Electronic media are partially controlled by the state, though a ban prohibiting private broadcasters from airing news or political programming was lifted in 2004, and several live news programs were given broadcasting rights in 2007. Abkhaz NGOs successfully lobbied for the passage of a new law on freedom of expression in 2008 with the help of a British-based NGO.

Independent media outlets report continued pressure from the authorities, and are hampered by funding and distribution problems, as well as a low level of professionalism, though several independent newspapers are published in Abkhazia, including opposition newspapers that are critical of the government. The independent radio station Radio SOMA, supported by an international NGO, remains popular. Russian-funded, independent, and media outlets close to current authorities.

In April 2008, Abkhaz authorities expelled a Georgian Orthodox priest from Gali for allegedly failing to properly register with the local authorities. The Georgian Orthodox Church claims it is unable to operate in Abkhazia and accuses the Russian Orthodox Church of tacitly supporting separatism. Though a 1995 decree bans Jehovah's Witnesses, they continue to practice openly in Abkhazia, as do other Christian denominations.

While Georgian-language schools do not officially exist in Gali, at least three schools in the lower Gali district unofficially operate in Georgian, the result of a lack of qualified Russian-speaking staff. Georgian-language classes in Gali schools are permitted by the Abkhaz government. Ethnic Georgians who reside in Abkhazia and hold Georgian passports are restricted from studying at Sokhumi State University.

Although most NGOs in Abkhazia rely on funding from outside the territory, the NGO sector is relatively vibrant and exerts a significant degree of influence on government policies. However, Abkhaz NGOs are not permitted by the Abkhaz Government to monitor local elections.

Defendants' limited access to qualified legal counsel, violations of due process, and

lengthy pretrial detentions are among the chronic problems in Abkhazia's criminal justice system, though Abkhaz NGOs have initiated legislation to make the judiciary more independent and transparent.

The human rights and humanitarian situation in Abkhazia continued to be a serious problem in 2008. Fighting along the Abkhaz-Georgian border affected the security environment in the Gali district, whose population is largely ethnic Georgian, though irregular Abkhaz troops were prevented by local Abkhaz groups from attacking Gali residents during the war. No war-related episodes of murder or detention were reported.

In 2008, Abkhazia amended an election law requiring all voters to hold an Abkhaz passport, causing problems for the ethnic Georgian population in the Gali district, who were required to give up their Georgian passports as a result. Many Georgians in the Gali district are dual-passport holders and travel frequently between Gali and Georgia proper.

Travel and choice of residence are limited by the ongoing separatist dispute. Most of the ethnic Georgians who fled Abkhazia during the early 1990s are living in Tbilisi and western Georgia, primarily in the Zugdidi district. Abkhazia sealed the border between Gali and Georgia proper after the war, restricting Gali residents from moving across the border. Many Gali residents rely on unofficial cross-border trade, and Gali residents receive pensions in Georgia proper. According to a post-war decree by Abkhazia, Gali residents may be transported to Samegrelo in case of emergency medical treatment. Since the war, ethnic Abkhaz have had greater difficulty receiving visas to travel abroad, including to the United States European Union countries.

As many as 85 percent of Abkhazia's residents hold Russian passports and receive social benefits as Russian citizens, which they claim is a matter of necessity in light of the fact that Abkhaz travel documents are not internationally recognized.

Equality of opportunity and normal business activities are limited by widespread corruption, the control by criminal organizations of large segments of the economy, and the continuing effects of the war. Abkhazia's economy is heavily reliant on Russia, and Russia's successful bid to hold the 2014 Olympics in nearby Sochi will likely have a notable economic impact on the region.

Copyright notice: © Freedom House, Inc. · All Rights Reserved

---