



Human Rights Council**Forty-third session**

24 February–13 March and 15–23 June 2020

Agenda item 10

Technical assistance and capacity-building**Resolution adopted by the Human Rights Council
on 22 June 2020****43/37. Cooperation with Georgia***The Human Rights Council,**Guided by the purposes and principles of the Charter of the United Nations,**Reaffirming* the Universal Declaration of Human Rights and other relevant international human rights instruments,*Bearing in mind* relevant regional instruments, in particular the European Convention for the Protection of Human Rights and Fundamental Freedoms,*Recalling* its resolutions 34/37 of 24 March 2017, 37/40 of 23 March 2018 and 40/28 of 22 March 2019,*Expressing serious concern* that the provisions of the above resolutions with regard to Abkhazia, Georgia and the Tskhinvali region/South Ossetia, Georgia have not been implemented,*Reaffirming* its commitment to the sovereignty, independence and territorial integrity of Georgia within its internationally recognized borders,*Reaffirming also* the primary responsibility of States to promote and protect human rights and fundamental freedoms,*Recognizing* the importance of the Geneva International Discussions established on the basis of the ceasefire agreement of 12 August 2008 as an instrument for addressing security, stability, human rights and humanitarian issues on the ground,*Underlining* the role of the Incident Prevention and Response Mechanisms in Gali and Ergneti in finding durable solutions for the safety and humanitarian needs of conflict-affected persons on the ground,*Welcoming* the cooperation of the Government of Georgia with the Office of the United Nations High Commissioner for Human Rights and its office in Tbilisi, and with other relevant international and regional human rights mechanisms and actors,*Welcoming also* the continuous technical assistance provided by the Office of the High Commissioner through its office in Tbilisi,

Recognizing the significance of the reports of the High Commissioner,¹

Stressing the findings of the High Commissioner in the reports, in which the High Commissioner underscored the responsibility of the authorities in control in Abkhazia, Georgia and the Tskhinvali region/South Ossetia, Georgia to uphold the fundamental freedoms and human rights of all people living therein and expressed regret at the refusal of those in control of Abkhazia, Georgia and the Tskhinvali region/South Ossetia, Georgia to grant unimpeded access to staff members of the Office of the High Commissioner and to the United Nations human rights mechanisms to both regions,

Expressing serious concern at the continuous process of installation and advancement of barbed wire fences and different artificial barriers along the administrative boundary line in Abkhazia, Georgia and Tskhinvali region/South Ossetia, Georgia and adjacent areas,

Expressing serious concern also at various forms of reported discrimination against ethnic Georgians, violations of the right to life, deprivation of liberty, arbitrary detentions and kidnappings, infringements of the right to property, violations of the right to health, restrictions on education in one's native language in both Georgian regions, and the continued practice of demolition of the ruins of houses belonging to internally displaced persons in the Tskhinvali region/South Ossetia, Georgia,

Expressing serious concern further at the lack of accountability for incidents of ethnically targeted violations of the right to life of Georgians committed in the period from 2016 to 2019, which continues to contribute to impunity in both Abkhazia, Georgia and the Tskhinvali region/South Ossetia, Georgia,

Noting with concern that the situation of human rights has deteriorated in both regions, particularly due to growing restrictions on freedom of movement,

Bearing in mind the negative consequences of the closure of the crossing points by the authorities in control in Abkhazia, Georgia and the Tskhinvali region/South Ossetia, Georgia and their severe impact on the affected population in and around both regions, which aggravates its socioeconomic situation and isolation,

Expressing concern that internally displaced persons and refugees continue to be deprived of the right to return to their homes in Abkhazia, Georgia and the Tskhinvali region/South Ossetia, Georgia in a safe and dignified manner,

Recognizing with appreciation the efforts of the Government of Georgia to strengthen democracy, the rule of law and the promotion and protection of human rights, and in this context welcoming the cooperation of the Government with United Nations and regional human rights mechanisms,

Expressing serious concern at the repeated denial of access to international and regional monitors, including United Nations human rights mechanisms, to both Georgian regions by those in control of those regions,

Recognizing in this context the importance of and need for periodic reports of the Office of the High Commissioner for an objective and impartial assessment of the situation of human rights in both Georgian regions,

1. *Requests* the United Nations High Commissioner for Human Rights to continue to provide technical assistance through her office in Tbilisi;

2. *Strongly calls* for immediate and unimpeded access to be given to the Office of the High Commissioner and international and regional human rights mechanisms to Abkhazia, Georgia and the Tskhinvali region/South Ossetia, Georgia;

3. *Requests* the High Commissioner to present to the Human Rights Council, in accordance with its resolution 5/1 of 18 June 2007, an oral update on the follow-up to the present resolution at its forty-fourth session, and to present a written report on developments relating to and the implementation of the present resolution at its forty-fifth session.

¹ A/HRC/36/65, A/HRC/39/44 and A/HRC/42/34.

*46th meeting
22 June 2020*

[Adopted by a recorded vote of 20 to 2, with 24 abstentions. The voting was as follows:

In favour:

Australia, Austria, Bahamas, Bulgaria, Czechia, Denmark, Fiji, Germany, Italy, Japan, Libya, Marshall Islands, Mexico, Netherlands, Peru, Poland, Slovakia, Somalia, Spain, Ukraine

Against:

Cameroon, Venezuela (Bolivarian Republic of)

Abstaining:

Afghanistan, Angola, Argentina, Bahrain, Bangladesh, Brazil, Burkina Faso, Chile, Democratic Republic of the Congo, Eritrea, India, Indonesia, Mauritania, Namibia, Nepal, Nigeria, Pakistan, Philippines, Qatar, Republic of Korea, Senegal, Sudan, Togo, Uruguay]
