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**To the President of the European Council
Mr. Charles Michel
and to Members of the European Council**

Your Excellencies,

On 12 October 2022, ambassadors of the member states of the Council of the European Union announced their agreement on the mandate for negotiations with the European Parliament on the non-acceptance of Russian travel documents issued by the Embassy of the Russian Federation in the territory of Abkhazia. In the press release of the Council of the European Union it is stated that this step “is a response to Russia’s unprovoked and unjustified military aggression against Ukraine and Russia’s practice of issuing Russian international passports to residents of the occupied regions. It also follows Russia’s unilateral decision to recognize the independence of the Georgian territories of Abkhazia and South Ossetia in 2008.”¹

On 24 November 2022 the European Parliament endorsed the agreement with the Council on non-acceptance of travel documents, issued in Abkhazia. On 8 December 2022 the Council of Europe adopted a decision on the non-acceptance of Russian documents issued in Abkhazia. This decision is a serious step towards further restrictions that infringe upon the basic rights of the residents of Abkhazia (who have dual Abkhazian and Russian citizenship), including the freedom of movement, access to education, health care facilities etc. outside Abkhazia.

It is perplexing that while talking about “Russia’s unprovoked and unjustified military aggression,” at the same time, ambassadors propose to punish those who actually were the victims of Georgia’s unprovoked and unjustified aggression, that is, Abkhazia and South Ossetia. Taking a decision on Abkhazia exclusively in the context of the Russian – Ukrainian confrontation, the European countries, in fact, completely close down the topic of the Georgian – Abkhaz conflict, that culminated into Georgia’s military aggression against Abkhazia in 1992. We believe that such approach is determined mainly by geopolitical considerations. It grossly distorts the picture of the recent past and erases the Georgian-Abkhaz war of 1992-1993, its

¹ <https://www.consilium.europa.eu/en/press/press-releases/2022/10/12/council-agrees-its-negotiating-mandate-on-the-non-acceptance-of-russian-travel-documents-issued-in-ukraine-and-georgia/>

causes and consequences, from the historical memory². Such an approach, in fact, puts a taboo on the topic of Georgia's responsibility for the numerous victims and destructions during the war period and shifts the responsibility onto a third party.

It is worthwhile reminding that the military aggression of Georgia against Abkhazia in 1992-1993 was a violent continuation of the policy of oppressions against Abkhaz people, its forced assimilation and suppression of their national consciousness³. This policy has been pursued by Georgia and in the interests of Georgia since the beginning of the 20th century, and particularly brutally under Joseph Stalin⁴. It was manifested in such measures as: lowering the political status of the Soviet Socialist Republic of Abkhazia (SSR Abkhazia)⁵ to the level of an autonomy within the Georgian SSR; mass resettlement of Georgians in the territory of Abkhazia, which radically changed the demographic structure of the population of the republic⁶; falsifications of the history of Abkhazia in order to substantiate Georgia's claims to its territory; a ban on the use of and teaching of the Abkhaz language; changing of toponomy and other measures to georgianize Abkhazia⁷.

The Abkhaz people, who survived Stalin's repressions, could not reconcile with violations of their human rights and fundamental freedoms. At mass rallies in 1957, 1965, 1967, 1978, 1989, the Abkhaz demanded the restoration of their rights, in particular, the right to their language and their history, they stood for their identity and statehood.

During the period of Gorbachev's perestroika, the nationalist political movements in Georgia significantly stepped up and once again called into question the right of Abkhaz to live and develop freely in their own land. The leaders of these movements demanded the abolition of autonomies and the proclamation of Georgia as a unitary state. They called for the creation of a Georgian nation, based on the Georgian ethnos and culture, denying the identity, rights and

² Human Rights Watch. Georgia/Abkhazia: Violations of the Laws of War and Russia's Role in the Conflict, March 1, 1995 // <https://www.hrw.org/report/1995/03/01/georgia/abkhazia-violations-laws-war-and-russias-role-conflict>; The Abkhazians: A Handbook by George Hewitt (Editor) Published 2013 Routledge Taylor & Francis Group LONDON AND NEW YORK First published in 1999 by Curzon Press // http://apsnyteka.org/3175-The_Abkhazians_2013-1999_angl.html;

Andrei Sakharov on the relationship between Abkhazia and Georgia // <https://abkhazworld.com/aw/blogs/1962-andrei-sakharov-on-the-relationship-between-abkhazia-and-georgia?highlight=WyJzYWtoYXJvdidzIiwic2FraGFyb3YiLCJzYWtoYXJvdicll0>;

(In 1989 at the start of the Georgian-Abkhazian conflict the late Academician Andrei Sakharov in one of his last articles called Georgia a 'mini-empire' (Ogonëk, 1989, 31)).

³ Origins and Evolutions of the Georgian-Abkhaz Conflict, by Stephen D. Shenfield // <https://abkhazworld.com/aw/conflict/31-origins-and-evolutions-of-the-georgian-abkhaz-conflict>.

⁴ The Stalin-Beria Terror in Abkhazia, 1936-1953, by Stephen D. Shenfield // <https://abkhazworld.com/aw/history/499-stalin-beria-terror-in-abkhazia-1936-53-by-stephen-shenfield>.

⁵ Declaration of the Revolutionary Committee of the SSR of Georgia on Independence of the SSR of Abkhazia – 21 May 1921 // <https://abkhazworld.com/aw/reports-and-key-texts/600-1921-declaration>.

⁶ Who should be settled in Abkhazia? By Jakob Gogebashvili (1877) // <https://abkhazworld.com/aw/history/1984-who-should-be-settled-in-abkhazia-by-jakob-gogebashvili-1877>;

Georgii Tsereteli (1879): It's time that we grab new territories in the Caucasus // <https://abkhazworld.com/aw/history/1745-georgii-tsereteli-1879-it-s-time-that-we-grab-new-territories-in-the-caucasus>;

Three Extracts from the Georgian Newspapers Droeba and Iveria // <https://abkhazworld.com/aw/history/1925-three-extracts-from-the-georgian-newspapers-droeba-and-iveria>;

Demographic change in Abkhazia 1897-1989 // <https://abkhazworld.com/aw/history/641-demographic-change-in-abkhazia>.

⁷ UNPO: November 1992 Mission to Abkhazia // <https://unpo.org/article/7483>.

freedoms of other peoples, including the Abkhaz people who have been living in their own territory for thousands of years⁸.

Realizing that such policy would inevitably lead to clashes, on the eve of the 1992-1993 war representatives of Abkhazia and Georgia conducted informal negotiations on the possible federalization of Georgia and the creation of a state in which both republics would have equal rights. However, Georgian officials categorically rejected the idea of federalization. Moreover, the troops of the State Council of Georgia invaded the territory of Abkhazia on the very day when the Supreme Council (Parliament) of Abkhazia assembled to discuss one of the drafts of the federal state concept.

The hasty international recognition of Georgia as an independent state within the borders of the former GSSR, its admission to the UN and to other international organizations against the backdrop of the aggravation of the Georgian-Abkhaz conflict (in 1989 clashes that led to casualties on both sides, had already taken place)⁹, as well as Georgia's receiving of some of the Soviet weapons just before the war (after the meeting of B. Yeltsin and E. Shevardnadze in Dagomys)¹⁰ in violation of the Tashkent Agreement - all these factors freed Georgia from the need to look for mutually acceptable solutions in relations with Abkhazia and strengthened Tbilisi's desire to use military force to achieve its goals.

The criminal nature of Georgia's actions is eloquently illustrated by the words of the commander of the Georgian army, General Giorgi Karkarashvili, who in a televised interview literally stated the following: "If on our side 100,000 Georgians die, on your side the entire Abkhaz population of 97,000 will die"¹¹. Such a statement should be regarded as a call to commit genocide against the Abkhaz people.

The deliberate destruction (burning) by the soldiers of the Georgian army of the sole state archive of Abkhazia and the archive of the only existing Abkhaz Research Institute of History, Language and Literature¹², which stored unique collections, manuscripts, field diaries and other materials on the history and culture of the Abkhaz people, became a manifestation of cultural genocide.

Georgia's aggression led to dire humanitarian problems, one of which was the issue of refugees. Unfortunately, the overwhelming majority of the Georgian population of Abkhazia succumbed

⁸ Absence of Will: Documentary About Georgian – Abkhaz and S. Ossetian Conflicts by Mamuka Kuparadze // https://www.youtube.com/watch?v=Xm0sA6_Xf-Y (time code 8:24).

⁹ <https://www.tandfonline.com/doi/abs/10.1080/02634939508400893>;

Спартак Жидков. 1989: год неповиновения. http://apsnyteka.org/101-1989:god_nepovinoenia.html.

¹⁰ <http://old.mfaapsny.org/information/?ID=886>. After the Dagomys meeting and the signing of the Communiqué of June 24, 1992, Yeltsin and Shevardnadze agreed on further cooperation. As a result of the "Dagomys conspiracy", the Russian leadership violated the Tashkent Agreement and, as an exception, provided Georgia with tanks, aircraft and other weapons. The transfer of military equipment and ammunition was completed in late July and early August 1992. Shevardnadze assured Yeltsin that he would join the CIS as soon as he solved the problem of Abkhazia with "little blood" within 2-3 days.

¹¹ <https://www.youtube.com/watch?v=r8mnkAzIUek>;

<https://www.youtube.com/watch?v=IzariDpeCuA&t=1149s> (time code 18:54).

¹² Abkhazia's archive: fire of war, ashes of history, by Thomas de Waal // <https://abkhazworld.com/aw/conflict/745-abkhazias-archive-de-waal>.

to anti-Abkhaz propaganda and supported the war against the Abkhaz people with weapons in their hands. Fearing retaliation from their former neighbors, they left Abkhazia on the eve of the liberation by the Abkhaz army, of Sukhum and of Eastern Abkhazia. It should be noted, however, that earlier in the course of the war thousands of Abkhaz, Greeks, Jews, Russians and people of other ethnicities were forced to leave Abkhazia because of intolerable conditions created by the Georgian occupation regime, in which people of non-Georgian ethnic origin went missing, were subjected to violence and murder.

Having suffered huge sacrifice, the Abkhaz people survived the war imposed by Georgia and regained control over their own territory. Naturally, after such a bloody war, coexistence with Georgia within a single state has become absolutely unacceptable for the Abkhaz society. Nevertheless, under the pressure of international mediators, for many years the leadership of Abkhazia was forced to engage in negotiations on the establishment of a common state with Georgia. However, it was Georgia that was not prepared not only for confederal, but also for federal models of state restructuring, and rejected all conflict-resolution options, developed through the mediation of the UN. Moreover, in 1998, in violation of the previously signed agreements, Georgia attempted to establish control over part of the territory of Abkhazia by military means, which was yet another indication of the futility of the efforts to find a formula for peaceful coexistence of the two republics in one state. It was after this (in 1999) that a referendum was held in Abkhazia, in which the citizens of Abkhazia overwhelmingly voted in support of the sovereignty and independence of their republic.

Further conflict-settlement negotiations were blocked by the newly elected President Saakashvili. He chose the tactic of ignoring the Georgian-Abkhaz contradictions, obscuring the circumstances under which the war began, and presenting the conflict as a result of the third party intervention – meaning Russia's. Saakashvili's unwillingness to conduct substantive negotiations with Abkhazia as a party to the conflict, the violation of previously signed agreements (deployment of Georgian troops in the Kodori Gorge of Abkhazia in 2006)¹³, constant threats that M. Saakashvili addressed to Abkhazia, greatly aggravated the situation on the eve of the August 2008 war.

In the short history of its independence after the collapse of the USSR, Georgia unleashed several wars against Abkhazians and Ossetians. Georgia's adherence to the use of force in achieving political goals, in fact for establishing control over Abkhazia, made external security guarantees for the people of Abkhazia a matter of survival. Such guarantees were provided through the Russian Federation's recognition of Abkhazia as an independent state and the signing of relevant interstate agreements.

At one time, under very similar circumstances, the international community recognized Kosovo's right to self-determination and free development¹⁴. However, in the case of Abkhazia Western countries took a different position, dictated exclusively by geopolitical preferences. They ignored

¹³ Abkhazia: Ways Forward. II. Negotiation Processes// International Crises Group. Europe Report, № 179. 18 January 2007 // http://abkhazworld.com/aw/Pdf/179_abkhazia_ways_forward.pdf.

¹⁴ Some Thoughts on 'Abkhazia is not Kosovo', by George Hewitt // <https://abkhazworld.com/aw/analysis/6-some-thoughts-on-abkhazia-is-not-kosovo?highlight=WyJzYWtoYXJvdidzIiwic2FraGFyb3YiLCJzYWtoYXJvdicull0>.

the sufferings and the choice of the people, who have repeatedly fallen victim of aggression by Georgia.

It is difficult to find an explanation for the fact that during the Georgian-Abkhaz war, and during all 30 years after it had ended, Abkhazia has been denied even the opportunity to be heard on a par with Georgia at influential international platforms where resolutions have been adopted regarding Abkhazia – we are talking about such organizations as the UN, the Council of Europe, the European Parliament, the OSCE. The reluctance to give the floor to the side that suffered from the aggression has no other explanations than geopolitical ones. Against the backdrop of the aggravation of Russian-Western differences, we have been observing the narratives taking root in international discourse, in which Georgia is presented exclusively as a victim of the Russian Federation, while Abkhazia is presented as an “occupied territory”. Georgia openly takes advantage of the current international political situation, while Abkhazia is deprived of a voice outside the strictly limited format of the Geneva discussions.

Such a policy of ignoring Abkhazia as a party to the conflict, that suffered from Georgia’s aggression, cannot but affect the confidence of the citizens of Abkhazia in international institutions and in their human rights protection mechanisms.

It is obvious that the decision of the ambassadors of the EU member states is caused by the confrontation between the West and Russia. However, the consequences of such a decision will have a direct impact on the rights of those people who 30 years ago experienced all the horrors of Georgia’s military invasion and occupation, followed by many years of blockade. Indefinite international political and economic isolation has been, in fact, a punishment of Abkhazia for its people’s ability to defend their identity, their land and their right to freedom and development.

The decision of the ambassadors of the EU member states tightens the existing regime of the isolation of Abkhazia. Unfortunately, the Abkhaz passports are not recognized by most countries of the world, therefore the only document allowing citizens of Abkhazia to use to some extent their right to freedom of movement was the passport of a citizen of the Russian Federation. By depriving citizens of Abkhazia of the opportunity to use Russian passports and by not recognizing the passports of the Republic of Abkhazia, the EU member states are not acting in favor of human rights and fundamental freedoms attached to all people in the world and enshrined in hundreds of fundamental international documents.

A selective approach to the issue of the respect for human rights, for the right of nations to self-determination, to the condemnation for unleashing hostilities and recognizing the unacceptability of the use force in the conflict settlement - all this gives rather contradictory signals with regard to the values and principles guiding the official representatives of European countries.

For thirty post-war years, Georgia has been doing everything to ensure that Abkhazia does not have the opportunity to independently establish relations with the outside world, blocking Abkhazia's contacts at all levels and in all spheres, creating obstacles for Abkhazia’s interaction with European countries aimed at strengthening democratic institutions in Abkhazia¹⁵.

¹⁵ UNPO: Victims of Geopolitics: Young Generations in Abkhazia Struggle with Lack of Travel and Education

Unfortunately, the international community supports Georgia's policy even when it contradicts human rights principles.

We are confident that the policy of supporting Georgia's destructive position, the policy that violates the rights and freedoms of the citizens of Abkhazia, will not contribute to the democratization of the Georgian society itself, not to mention the prospects for resolving the Georgian-Abkhaz conflict.

Notwithstanding the years of disregard for their rights by the international community, the people of Abkhazia do not lose hope that the European countries will be able to overcome politically biased attitudes towards Abkhazia and will proceed in their assessments and decisions from the principle of justice and the priority of human rights and fundamental freedoms.

We believe that at least today the people of Abkhazia should be given the opportunity to provide their information about the Georgian-Abkhaz war of 1992-1993. The Abkhaz point of view has been ignored indifferently for 30 long years, and this resulted in the formation of a one-sided view of the conflict, in an unbalanced attitude that is blocking the search for constructive and just resolution.

We express hope that the European Council will be able to break the vicious circle of disinformation regarding the nature and the history of the Georgian-Abkhazian conflict, which caused unfair and endless punishment of the people of Abkhazia. Otherwise the injustice will be indefinitely perpetuated through decisions like the one that was taken on 8 December 2022, with a negative effect on the human rights situation. We do not see a possibility to restore the human rights of the residents of Abkhazia other than through an objective analysis and unbiased assessment of the events, related to Georgia's aggression against Abkhazia in 1992. We are sure that the Council of Europe has the ability and the necessary mechanisms to fulfill this task.

Respectfully yours,
Ombudsperson in the Republic of Abkhazia



Asida Shakryl