

## **Violations and Discrimination by Georgia.**

“Veresk” Charity Foundation for Disabled and Amputees, Abkhazia

### Session 2

“Recognition is a unilateral voluntary act of states, according to which these state consider the other state as a subject of international law and have intend to maintain official relation”. In general, recognition is not an obligation, but it is a right of the state. Criteria of Recognition defined by the Montevideo Convention stipulates that the states as subjects of international law should possess the following qualifications:

- Defined territory
- Permanent population
- Government
- Capacity of to enter into relations with other states

Russia’s recognition of Abkhazia in 2008 was encountered by Georgia with the adoption of a discriminatory “Law on occupied territories” by the Georgian parliament on 23 October 2008. The Article 4 on Limitation on Free Migration in the Occupied Territories says that “Citizens of foreign countries and persons without citizenship shall be prohibited to enter the Occupied Territories from any other directions except the ones specified in Paragraph 1 of this Article: 1. Citizens of foreign countries and persons without citizenship shall be allowed to enter the Occupied Territories only under the following circumstances:

- a) The territory of the Autonomous Republic of Abkhazia shall be entered from the territory of the Zugdidi Municipality;
- b) The territory of the Tskhinvali Region (territory of the former South Ossetia Autonomous Region) shall be entered from the territory of the Gori Municipality.

Violation of this requirement shall lead to punishment under the Criminal Law of Georgia”.

Such a discriminatory law isolates the people of Abkhazia from the whole world and violates the right to a dignified life and development. The Law contradicts the Georgian international engagements, and deteriorates humanitarian situation and causes unnecessary hardship as it was mentioned in the ‘Opinion on the Law on Occupied Territories of Georgia of the Venice Commission’ adopted in Strasbourg, 2009.

Georgian itself passes over in silence its own occupation of Abkhazia in 1992-1993 when the national heritage that bared Abkhaz names was ruined, moreover two archives had been burnt out completely by the Georgian State Council Troops. Such heritage is a world heritage as well for whose protection is the duty of the international community also.

In accordance with the provisions of the “Convention Concerning the Protection of the World Cultural and Natural Heritage” the cultural and natural should be protected, preserved and transmitted to future generations.

Georgia now opposes the resumption of the work of the Sukhum airport one the most convenient

airports of the former USSR. The railway functions only within Abkhazia's borders or only to Russia. The seaports are closed for passenger vessels, and Abkhaz cargo vessels are under the constant threat of attacks from the Georgian one with the follow up seizure of the crew and confiscation of goods.

Such deprivation and violation of the rights of the peoples of Abkhazia is absolutely incomprehensible and entirely discriminative in the light of the principles declared in the international law.

Human rights are not the exclusive protect of larger nations - they are equal for all, as stated in all international covenants, declarations, protocols and resolutions.