



**Discussion
Paper**

July 2015

The Realm of the Possible

Finding ways forward in the Georgian-Abkhaz context:
People in the Gal/i region



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This discussion paper reflects the perspectives of interlocutors from either side of the Georgian-Abkhaz conflict divide. We have reflected the differences in these perspectives in our use of contested terminology, including place names. For ease of reading, we chose not to use attributes such as *de facto* or 'partially recognised' when referring to institutions and political positions in Abkhazia. We would like to emphasise that by doing so we in no way imply a position on status.



Ingur/i river © Abkhazinform

Introduction

Over the years there has been a great deal of controversy with regard to residents of the Gal/i region, their living conditions and outlook for the future. Heated discussions about Georgians living in Abkhazia have been part of both Abkhaz and Georgian political debate, as well as Georgian-Abkhaz dialogue. Questions often arise around identity and status: *How many people actually live in Gal/i and how many of these are permanent residents, as opposed to 'temporary' or 'seasonal'? How do Gal/i residents affiliate themselves; do they feel part of Abkhazian or Georgian society?*

These can lead to more pointed and confrontational follow-up questions: *Can they be trusted? Do they share 'our' interests or 'theirs'?* Lack of clarity leaves room for speculation and manipulation, which have been used by the 'sides' at different times for political gain and to put pressure on political opponents, both internal and external. To date none of the political leaders in Sukhum/i or Tbilisi have elaborated or presented a clear strategy with regard to the Gal/i residents, their place and their future; and pragmatism has yet to prevail in the debate. Both Abkhaz and Georgians tend to bring forward different arguments in favour of or against potential steps and actions to address concrete issues, which reflect a range of needs and concerns that can be in contradiction with one another.

This publication aims to provide some clarity regarding the different perspectives and underlying emotions, some of the legal and political aspects at play, as well as implications for people on the ground. Based on extensive discussions in Georgian-Abkhaz dialogue facilitated by Conciliation Resources since 2000, focus groups and interviews conducted in 2013 in Abkhazia, Batumi, Tbilisi, Telavi and Zugdidi, as well as ongoing local consultations, we also share some thoughts on areas of common interest, and offer some suggestions for moving forward, within the realm of the possible.

Gal/i is the southernmost district of Abkhazia. Slightly larger than 1,000 square kilometres, it was the largest district by area of pre-war Abkhazia. In 1995 the Abkhazian authorities re-drew the district borders: the northern part was allocated to the neighbouring districts of Ochamchira/e and Tkuarchal/Tkvarcheli. Collectively the three regions are often referred to as 'Eastern Abkhazia'. In this publication, references to the Gal/i district or Gal/i region and its residents can relate to either pre-war or post-war district borders, reflecting the ongoing dispute and diversity of opinion in this regard.



A Georgian checks whether his daughter-in-law was granted Abkhazian citizenship, outside the Gal/i passport office, 2012 © Olesya Vartanyan

Living in legal limbo – a catch 22

Before examining the politics and underlying identity issues, it is important to have a clear understanding of some of the formal constraints and factual contradictions that to date have appeared to hamper fundamental progress in the Gal/i region. These concern, in the first instance, questions around legal status and identification documents:

According to Abkhazian law, Abkhazian citizens can hold dual citizenship only in combination with the Russian Federation and no other second state. Ethnic Georgians who wish to obtain Abkhazian citizenship are therefore required to produce an official document from the Georgian authorities that confirms they have revoked their Georgian citizenship. Yet it is not possible in the circumstances to acquire such a document, as the Georgian authorities are only legally in a position to provide it if the individual in question at the same time holds dual citizenship with a country that is recognised by Georgia. Otherwise, by revoking Georgian citizenship, the authorities would make that person legally stateless under Georgian law and international conventions.¹

What adds to the controversy is a lack of consistency in political debate around the concept of citizenship on the one hand and the actual act of granting passports on the other: while some treat the two as identical issues others tend to differentiate.

“We have a very tough citizenship law, compared to other countries. But it gives us protection.”

Abkhaz political actor, 2015

A decree adopted by the Abkhazian parliament on 4 April 2014² was expedient for managing the political situation ahead of pre-term elections but fails to provide ultimate clarity regarding the legal status of Gal/i residents. The decree states that Abkhazian passports issued on the recommendation of the commissions established in the Gal/i region in March 2008 cannot be accepted as legal documents that confirm citizenship, due to questions regarding the commissions’ integrity, and alleged incidents

1. E.g. UNHCR Convention relating to the status of stateless persons (1957) or European Convention on Nationality (1997)

2. ‘On implementation procedures regarding decree 3390 of 18 September 2013 *On the regulation of passport issuing to the population of Gal, Tkuarchal and Ochamchira regions of the Republic of Abkhazia*’

The evolution of legal contradictions:

Soon after fighting ended in 1993, the Abkhazian Supreme Soviet adopted a law on citizenship, according to which all those who permanently reside on the territory of Abkhazia and whose grandparents were born there, were considered citizens of the Republic of Abkhazia. This applied to almost all Gal/i region residents. Since 2003, when the Russian Federation started granting citizenship and passports to residents of former republics of the USSR, the majority of Abkhazians have obtained Russian citizenship. However, with few exceptions the Gal/i population has been excluded from this process, despite various appeals.

In 2005 a new law came into effect in Abkhazia and restricted citizenship to those non-ethnic Abkhaz who could prove permanent residency on the territory of Abkhazia in the years 1994-1999³. This created difficulties for many people, including Armenians, Georgians and Russians many of whom had links elsewhere and had been absent from Abkhazia for a proportion of time during that period. This was particularly the case for the ethnic Georgians, many of whom fled Gal/i region in 1998 when ongoing tensions spilled over into violence after attempts to regain Georgian control of lower Gal/i. The 2005 law has therefore had a serious impact on the Gal/i population and their citizen status in Abkhazia, and has given rise to contentious political debate on the issue. Some in Abkhazia do not consider the 2005 law to affect the status of ethnic Georgians: as far as they are concerned they were officially recognised as fellow citizens back in 1993. True to the Abkhazian constitution, they argue, citizenship once obtained cannot be revoked, and the law must not be applied retrospectively. Others, on the contrary, refer to the law as a crucial factor in preventing Georgians in Gal/i from holding Abkhazian citizenship and taking part in general elections. Yet another layer of complexity is added by the fact that most Gal/i residents simultaneously hold Georgian passports, and Abkhazian law permits dual citizenship only with the Russian Federation.

Since 2004, internal Abkhazian passports have been in circulation. In Gal/i the process around submitting the requisite documents and being granted a passport has often proven lengthy and burdensome. People have experienced considerable delays, sometimes awaiting a decision for several years. As a consequence, by 2009, when the 'passportisation' process in the rest of Abkhazia had largely been completed, only a couple of hundred passports had been issued to Gal/i residents.

In 2008, commissions were established in the eastern parts of Abkhazia in order to speed up the passportisation process ahead of presidential elections due to be held in 2009. Allegations with regard to the commissions' lack of transparency and porous procedures have subsequently served as levers in political disputes up until the present day. A 'law on foreign citizens' is currently going through the Abkhazian parliament, in an attempt to clarify the status of Gal/i residents who hold Georgian citizenship, and to address some of the problems that have arisen as a result of different interpretations of the 2005 law.

3. According to the law citizenship may be granted to non-ethnic Abkhaz who had been living permanently on the territory of the Republic of Abkhazia no fewer than five years when the Act on the state independence of the Republic of Abkhazia was passed on 12 October 1999, and who do not hold citizenship of another foreign state (other than the Russian Federation).

of corruption and violations of due process.⁴ The respective passports (in total some 22,000-25,000) would therefore be annulled and would not be accepted as identification documents during the election process. The wording and the context in which the decree was issued leave room for interpretation. Does the annulment of

4. 'Commission established by instruction of the Gal region Head of Administration on 3 March 2008, on acceptance of documents for receiving a passport of the Republic of Abkhazia, residence permit and registration on the territory of the Gal region'

the passport documents automatically equal loss of citizenship; or do (former) passport holders retain citizenship, or the right to it, and can they re-apply to obtain a new passport? To date, different political groupings have interpreted the law in their own way, and operate according to different assumptions.

Some circles in Abkhazia see the issuing of residence permits for the Gal/i population as an alternative to citizenship. This would allow people officially to retain Georgian citizenship

and cast their vote in local elections in Abkhazia, but would make them ineligible to take part in presidential or parliamentary elections. While voting rights may not be perceived as the most pressing issue by the local population in Gal/i, people there have a number of concerns and unanswered questions regarding the residence permit. Among these are the following:

- Would there be restrictions on crossing the Georgian-Abkhazian border?⁵ And would it still be possible to travel to the Russian Federation via the Psou border, without an Abkhazian passport in hand?
- Would there be any more security and clarity with regard to cross-Ingur/i traders, or – on the contrary – would restrictions or pressure increase?
- Would safety guarantees be provided for the local population and what would they look like?
- How would property rights be affected?
- What would the implications be for education, health care and religious services within Abkhazia in concrete terms? Would it be possible, for instance, to conduct school lessons and church services in the Georgian language?
- What would the regulations be for serving in the Abkhazian army? Would residents who have not been granted citizenship be exempt from military service, as is presently the case?

Should holding a residence permit become an option, some people living in the Gal/i region may still opt for Abkhazian citizenship, and prefer to obtain Abkhazian passports rather than hold on to their Georgian passports. In order for Gal/i residents to exercise their right to choose, they would need to be sufficiently informed, which would mean addressing the outstanding questions in a transparent and consistent manner.

There seems, though, to be significant disagreement among the political elite in Abkhazia as to the criteria according to which

people in Gal/i should be granted Abkhazian passports and citizenship, if at all. Some would like to see a case-by-case approach to decide the appropriateness of citizenship versus residence permit; others would like to see only residence permits issued, possibly with the exception of the few hundred passports that were processed before the establishment of the commissions in 2008. While this debate goes on, the local population continues to live with an uncertain future. In the absence of an inclusive and transparent consultation process they are left feeling vulnerable and exposed to potential abuse.

“From my experience I can say that there are quite a number of people in the Gal region who have made a clear choice: they want to be fully-fledged citizens of Abkhazia. And they are ready to give up Georgian citizenship. We need to work out a legal mechanism that allows them to reject Georgian citizenship and that is recognised by the Abkhaz side. Previously people would sign a document to renounce their Georgian citizenship. It is not their fault that this does not have any legal effect. I think this is one of the issues that should be resolved at the Geneva discussions.”

Member of the Abkhazian parliament, 2015

Such insecure conditions make it particularly problematic to expect from Georgians in Abkhazia that they sever their formal affiliation with Georgia ‘proper’. It would seem unreasonable to be asked to trade in the support they find on the other side of the Ingur/i river – however limited that may be – for an unreliable future in Gal/i. Apart from family ties, there are a number of institutional relationships that make local residents in the Gal/i region maintain links and travel across the Ingur/i.

Fairly frequent crossings by ethnic Georgians give rise to suspicion among the rest of the Abkhazian population, which is also fuelled by a lack of clarity with regard to basic facts and figures. The status of Georgians in Abkhazia remains disputed; and a number of those

5. The status of the boundary that separates Abkhazia from the Georgian heartland is disputed: Georgians define it as an internal administrative border (often referred to as the Administrative Boundary Line, or ABL), whereas Abkhaz view it as a state border. Conciliation Resources does not take a position on this, and in this publication we have chosen to use ‘border’ as shorthand to refer to either understanding of the term.

residing in the Gal/i region are still eligible to retain their status as internally displaced persons in Georgia. To date there is no reliable data available as to how many people actually live in the Gal/i region permanently, as opposed to temporarily or seasonally. Return to Abkhazia has not been officially acknowledged by the Georgian authorities; and registrations in this regard have not been monitored or facilitated through any internationally recognised process,

other than 311 people initially registered by the United Nations High Commissioner for Refugees (UNHCR) between April and December 1994.

These legal dilemmas, many would argue, could be resolved if only there were sufficient political will. However, formal obstacles are closely intertwined with political interests, deeply rooted fears and feelings of defensiveness, which obscure the potential for constructive change.

The human dimension – should we stay or should we go?

As a consequence of unresolved conflict, legal grey areas and unpredictable practice with regard to living conditions, security and long-term integration, people on the ground struggle to shape a sustainable future. Uncertainty persists in a number of areas that concern day-to-day life in the Gal/i region and makes people feel vulnerable. The following examples are not intended to present the full spectrum of existing problems but to give a feel for the complexity of everyday life in the Gal/i region.

Documents and bureaucracy

“There are babies from Gal being born in Georgia, and holding Georgian citizenship. The issue then is one of their loyalty, and the potential that in future they can become a threat to our security.”

Abkhaz participant in dialogue meeting, 2015

Local residents encounter obstacles in several spheres of everyday life that relate back to questions of registration, status of residency/citizenship, and affiliation with the Georgian administrative system. Although Abkhazia is largely not recognised as independent by the international community, it functions *de facto* as a state, with its own constitution, legal systems and regulations. There are therefore a set of bureaucratic procedures that citizens and others residing in the entity need to conform to in order to work, to be granted access to services and to enjoy rights, benefits and protection.

In the case of the Gal/i population such procedures can prove to be particularly longwinded and demoralising, given some people's documentation was previously issued

by or associated with the administration of the 'Abkhazian Government in Exile' and is therefore not accepted in Abkhazia.⁶

In the absence of sufficiently good health care within the Gal/i region, people will naturally revert to services offered in neighbouring Zugdidi, including when giving birth. Although there have been significant improvements in health care provision in Gal/i in recent years, a large number of local residents continues to be affected by this vicious circle: children born in Georgian hospitals receive a Georgian birth certificate and can continue to face obstacles when registering in nurseries and schools in Abkhazia. Young people or adults who completed all or part of their education in Georgian schools or universities can encounter additional challenges in dealing with the authorities and the Abkhazian bureaucracy at different levels, although the key problem for many lies in the lack of proficiency in the Russian language.⁷

6. Tbilisi views the Abkhazian government in exile as the legitimate representation of the 'Government of the Autonomous Republic of Abkhazia', and rejects the legitimacy of the political leadership in Sukhum/i. Its administration is based in Tbilisi, with four regional representations on Tbilisi-controlled territory. The Abkhazian government in exile has played a decreasingly significant role in Georgian politics in recent years. But it continues to be funded through the Georgian state budget and provides certain services and support to the Georgian IDP community, including in the fields of education and health care. The role of the government in exile is highly contested: while some in Georgia view it as a crucial institution that symbolises Georgia's legitimate control over Abkhazia and represents the displaced community, others think it has become redundant and that it unnecessarily fuels political controversy and tensions with the Abkhaz, and is used by the Georgian authorities to instrumentalise the displaced.
7. Documents issued by the Georgian authorities (and not the government in exile) need Russian translation, which can now be officially verified by the administration in Gal/i. While some confirm they have not encountered any difficulties in this regard, others claim that complications and delays continue to persist.

Cases of corruption and arbitrary treatment have in the past caused particular grievances, especially when local civil servants are either not aware of or choose to ignore or loosely interpret regulations and decrees issued in Sukhum/i. In an environment where transparency is sometimes lacking, there is a risk that people living in all the different regions of Abkhazia can encounter the selective application of existing legal frameworks. In the Gal/i region with its specific ethnic and political sensitivities, negative experiences of this nature tend to be perceived as discriminatory and politically motivated.

“My son is fifteen years old and a patient at the local hospital as well as the neurological centre in Georgia, where he receives long-term specialised treatment which is not available where we live. Every six months my child needs to undergo therapy to prevent his condition from deteriorating. We do not have any identification document for my boy. Before he turned fourteen, his birth certificate was accepted at the border, but now we have nothing. That’s why we can cross only in emergency situations for which the authorities issue a permit. However, there is no legal way for us to cross the border for the regular treatment.”

Georgian mother in Gal/i town

Freedom of movement

“We used to have serious problems crossing the border, especially our children. Some children in the school live in Abkhazia and some on the Georgian side. When the border procedures were tightened, a crossing point was established in Nabakevi, not far from the school. And the Abkhazian authorities regulated crossing procedures for the kids from Georgia, in agreement with the Russian border guards. The children’s names are entered on a list and they can now cross the border to go to school, without encountering problems on either side.”

Georgian mother in lower Gal/i

For a variety of reasons Georgians in Abkhazia need or wish to cross the border with neighbouring Samegrelo region in western Georgia on a more or less regular basis. Previously such journeys would often expose travellers to harassment such as bribery. In recent years, however, this has improved, not least due to stricter and more consistent regulations at the checkpoints.⁸ There are currently five crossing points operating along the Georgian-Abkhazian border⁹ and several documents are accepted for local residents to enter or exit Abkhazia.¹⁰ However, at different times in the past there have been rumours that the number of acceptable documents would become more limited. In the summer of 2014, this uncertainty, coupled with the fear of having their Abkhazian passports annulled, left Gal/i residents feeling insecure about prospects for travel across the Ingur/i or to the Russian Federation, where many visit family, work or study.

In addition, those in Abkhazian society and political circles who perhaps have little or

8. According to Saferworld’s reports about community perceptions of safety and security, overall concerns regarding crossing the Ingur/i have significantly decreased between 2011 and 2013, despite procedures getting more difficult. However, the situation to an extent deteriorated in 2014 in connection with disputes around identification documents and citizenship. (For more detail see: ‘Security for all: a challenge for Eastern Abkhazia’ (May 2013); ‘Security for local communities: Can the achievements of the past few years be preserved?’ (May 2014))

9. The main crossing operates across the Ingur/i bridge. At the time of writing there are four additional smaller checkpoints in operation at the villages of Otobaia, Nabakevi, Tageloni and Saberio. As of 11 December 2013 these villages were renamed by the Abkhazian authorities to Bgoura, Bataiguara, Taglan and Papynyrkhua respectively.

10. ‘Decree 125 by the Cabinet of Ministers of the Republic of Abkhazia’ of 25 September 2012 clarifies a ‘temporary list of documents’. Amendments were adopted on 30 December 2013 and 21 January 2015. In addition, the current list was published on 15 June 2015 by the press office of ‘FSB border control in the Republic of Abkhazia’: <http://abkhazinform.com/item/1356-pogranuppravlenie-fsb-rf-v-abkhazii-informuet-grazhdan-o-dokumentakh-pozvolayushchikh-peresekat-gruzino-abkhazs>



Cart with goods to be transported across the Ingur/i
© Abkhazinform

no interaction with the Georgian part of their population and are suspicious or fearful of any ties with Georgia, insist that the number of crossing points be reduced to a minimum. Some would even like to see the border sealed entirely.¹¹ However, practice has shown that the reduction of official checkpoints tends to correlate with an increase in illegal crossings, something that all parties involved should be mindful of. According to the most recent declarations by the Abkhazian authorities, none of the current crossing points will be closed as long as there is no adequate infrastructure in place to enable people from more remote areas to travel easily to the main checkpoint. While this reduces the immediate problem, it does little to allay longer-term fears.

In many cases the need to cross the Ingur/i river is mostly a pragmatic one and can be seen as a response to the unsatisfactory provision of public services within the Gal/i region itself. It is important to note that many of the existing problems are not unique to ethnic Georgians but typically affect Abkhazian society as a whole, which continues to grapple with the aftermath of war, and a high degree of political and economic isolation. However, due to geographical proximity and prevalent contacts and family ties, people living in Gal/i will naturally turn to Georgian services when they encounter limitations

11. Some in Abkhazia would link the concern about border crossings to the fact that a Georgian-Abkhaz peace agreement has not yet been signed. In their view a bilateral non-use-of-force agreement would take away the feeling of potential threat in Abkhazia, and as a consequence justify an operational border and as a whole make life easier for Georgians in Abkhazia. On the Georgian side not everyone takes this argument at face value - many see it as an Abkhaz pretext to gain a degree of recognition.

locally with regard to education, health care or social benefits, while the rest of the Abkhazian population might look for alternatives in the Russian Federation, or elsewhere.

"I think we need to solve this issue properly. We should not deprive the people of health care, for example. The level of service they get in Georgia is much higher than in Abkhazia. We cannot simply ban them from travelling there."

Abkhaz political actor, 2015

"I have an Abkhazian passport and I don't want to give it up. I applied for a Russian passport a long time ago but never received any update and don't know what my application status is. Following the events in May and announcements at the time of the pre-term elections, there have been rumours here. And I personally know a few Georgians whose Abkhazian passports were taken off them recently, although nobody knows on what grounds. One of them even served in the Abkhazian army!

My wife lives in Moscow, I visit her several times a year. I am due to travel this month, but I am scared. What if they take away my Abkhazian passport at the Psou border? How will I live here then? How will I travel in the future? No one tells us what the plan is, no one asks us what we think!"

Young Georgian man in Gal/i, June 2014

"... It appears to me that some of the blame lies with our government in that it has not made the life of refugees that have returned attractive, or stopped them looking towards the other side and waiting..."

Abkhaz civic actor, 2013



Opening ceremony at recently renovated kindergarden in Gal/i © Abkhazinform

Access to education

Education is one of the most complex issues when it comes to living conditions in the Gal/i region. Frequent disputes concern the language(s) of instruction in local schools as well as school textbooks and curricula, in particular with regard to the teaching of history and geography.

There are two primary schools and eighteen secondary schools operating in the Gal/i region as of May 2015. Nine of these officially function as Russian schools; eleven are considered Georgian schools. At times of political turmoil and expressions of anti-Georgian sentiment by political actors in Sukhum/i, school directors have feared the repercussions of using the Georgian language in their schools, since they were unsure whether this was officially sanctioned. Plans are underway to introduce Russian as the main language of instruction in all the schools, with Georgian language and literature remaining part of the curriculum. However, the authorities seem to be aware this transition can only take place gradually, in particular in more remote places outside Gal/i town itself, where there is a lack of qualified Russian-speaking teachers.

From the perspective of integration and interaction between diverse groups, in a multi-

lingual environment such as Abkhazia, Georgian children and adolescents grapple with similar issues as, for instance, their Armenian peers. While it is important for them to use their native language, they may struggle to develop adequate proficiency in the official languages, Abkhaz and Russian, which makes it difficult to overcome the isolation and separation that continues to persist between communities. The majority of families in the Gal/i region experience additional strains as Mingrelian is generally spoken at home, and Georgian only used in more formal contexts. Finding the right balance, and access to qualified teaching personnel and other support structures, that would enable children to learn and retain all four languages (Abkhaz, Georgian, Mingrelian and Russian), seems virtually impossible under the current circumstances.

Lacking solid Russian language skills means students from Gal/i encounter further obstacles to entering institutions of higher education within Abkhazia. Often they choose to leave Abkhazia in order to study in Tbilisi or Zugdidi instead, which further exacerbates their disconnection from Abkhazian society and depletes the numbers of young people living in the Gal/i region. Positive steps have been taken by the Abkhazian authorities in the past to encourage students from Gal/i to study at Abkhaz State University

(ASU): for instance, as of 2002 school leavers from Gal/i can apply for a free place at university in Sukhum/i on the basis of interview, rather than the regular competitive entrance exam; and a commuter bus service was reinstated toward the end of 2014, which lets students travel free of charge between Gal/i and Sukhum/i. As a consequence the number of Georgian students at Abkhazian institutions of higher education has gradually increased over the years. This year 61 students from Gal/i matriculated at ASU, 24 of them through the benefits scheme. This particular group naturally straddles ethnic and geographical divides, forming close connections both in Gal/i and Sukhum/i, which helps them put down roots more firmly within Abkhazia.

“We are often presented with cases where young people have neither an Abkhazian nor a Georgian passport. These are usually school children in their final year, or recent school leavers, over fourteen years of age, from the Lower Gal zone. These kids don’t know Russian very well and are planning to apply to Georgian universities. Birth certificates are only accepted at the border for children younger than fourteen; and they don’t have any other identification documents. As a consequence they now cannot cross the border to take exams, for example.”

Consultant at legal advice service in Gal/i

Emotions and politics – getting to the bottom of it

On those rare occasions when Abkhaz and Georgians do meet and talk, be it in facilitated dialogue sessions, round table discussions or more formal talks, sooner or later issues related to the Gal/i region invariably arise and emotions tend to run high. The topic is a particularly tough one, even for Georgians and Abkhaz with longstanding experience of constructive dialogue, on which to find a common language and identify pragmatic ways to improve the

situation on the ground. In order to make progress, it is important to unpick the underlying needs, fears and political interests that have evolved around fundamental concerns for national identity and security.

The table below is an overview that aims to articulate and juxtapose some of the common perceptions that can shape attitudes toward the Gal/i population:

| Abkhaz perspective | Georgian perspective |
|---|--|
| They collaborate with the Georgian authorities, thus undermining Abkhaz interests. | They collaborate with the Abkhazian authorities, thus undermining Georgian interests. |
| If they want to be part of Abkhazian society, they should not hold Georgian passports. | If they hold Abkhazian passports, they are violating Georgian statehood. |
| They/some of them sided against us in the war. | They/some of them sided against us in the war. |
| We fear becoming an (ethnic) minority within our homeland; We fear losing sovereignty and political control to Georgia. | We fear losing part of our territory/homeland, and loss of control; We fear ‘creeping recognition’ and the legitimisation of the Abkhazian authorities and Abkhazia as a state. |
| They are predominantly Mingrelian in ethnic identity, which distinguishes them from Georgians in Tbilisi and makes them less of a threat to us. | Their identity is being manipulated by the Abkhaz who are creating an artificial distinction between Mingrelian and Georgian identity and interests. |

Although positions have perhaps softened in some circles in recent years, there remains in the Georgian and Abkhaz mainstream a sense that the Gal/i population cannot be fully trusted. The Abkhaz question the Gal/i Georgians' loyalty, due to their persisting ties with Georgian society and the Georgian administrative system. Georgians have regarded them as 'collaborators' who undermine Georgian interests by accepting the Abkhazian administration.¹² Part of this apprehension goes back to speculation around the Gal/i population's role during the Georgian-Abkhaz war: both Abkhaz and Georgians have accused them of 'failing to fight for the right cause.'

12. In the past ethnic Georgians who took office in Abkhazia came under a lot of pressure from Tbilisi and were at risk of serious repercussions. One of the most well-known cases is that of David Sigua who was a member of the district election committee in Gal/i and disappeared in February 2003. The Abkhaz continue to demand proper investigation of the case.

"You don't seem to identify yourselves fully with Abkhazia. What then do you consider your homeland? If you yourselves cannot decide what you want, you will not be able to solve the issue of mistrust. Trust is something that needs to be earned."

Young Abkhaz addressing participants from Gal/i during dialogue meeting, 2009

"The law should be stable and predictable, but history and law do not always fit together. Politics or history, call it what you may, interferes with the law. And then the law gets adapted to fit politics."

Abkhaz political actor, 2015

"Tens of thousands of refugees have returned and live in the Gal district and the international community, with Georgia's complicity, does not acknowledge their return to Abkhazia. This is another element of our mistrust. Hence the lack of trust in the Georgian data, which puts the figure at several hundred thousand refugees."

Lecturer, Abkhaz State University, 2013

"Under international law IDPs have a right to return and the Abkhazian authorities are well aware of this provision. That is why they keep saying that they have abided by the law and permitted the IDPs to return to Gali. In reality, the IDPs returned of their own accord, and the Abkhazian authorities simply had to accommodate them. But this cannot be regarded as true return because it does not meet the key criteria – that repatriation must be safe, dignified, well organised and institutionalised. Besides, the Georgian residents of Gali had not fled Abkhazia – they briefly left their homes during the war and were back a week later."

Former Georgian government official in Tbilisi, 2013

Abkhaz and Georgians tend to agree that more clarity is needed with regard to the number of people living in Gal/i, and their legal status and rights. However, it is difficult to avoid being drawn into complex political arguments when trying to identify practical steps forward. In order to give a flavour of the exchange that took place in this regard during dialogue meetings

in 2014, we have grouped perspectives below in an attempt to convey arguments primarily held by one or other 'side'. It is worth noting that the following table presents a somewhat simplified picture of very complex discussions, as opinions do not always divide clearly along 'Abkhaz' or 'Georgian' lines:

| Perspectives/concerns expressed primarily by Abkhaz participants | Perspectives/concerns expressed primarily by Georgian participants |
|--|---|
| <ul style="list-style-type: none"> ▪ It is important for Georgia officially to recognise and verify the fact of return to the Gal region through a process facilitated by an international agency. This would obligate the Abkhazian authorities to work more effectively to support the local population and enhance the integration process. | <ul style="list-style-type: none"> ▪ The Georgian government should not help the Abkhaz to make Gali residents get closer to the Abkhazian 'state'. That might be Abkhazia's task, but is certainly not Georgia's. ▪ There is no guarantee that conditions would in practice improve in Gali, if return were officially recognised. <p>Recognising the fact of return would have potential negative implications:</p> |
| <ul style="list-style-type: none"> ▪ Abkhazian society needs to know how many people actually live in the Gal region permanently. Accurate numbers would reduce tension, and lower the potential for manipulation and hysteria with regard to sensitivities around demographics in Abkhazia. | <ul style="list-style-type: none"> ▪ Official numbers of Georgians permanently residing in Abkhazia might on the contrary reinforce Abkhaz fears regarding demography; |
| <ul style="list-style-type: none"> ▪ If people retain refugee status, this formally affiliates them with the Georgian government and Georgian bureaucracy, which reinforces suspicion toward them in Abkhazia. | <ul style="list-style-type: none"> ▪ People would lose their IDP status, i.e. lose benefits; |
| <ul style="list-style-type: none"> ▪ International agencies could move from humanitarian aid to more serious development programmes that would be more sustainable and benefit Gal residents directly. | <ul style="list-style-type: none"> ▪ International agencies focusing on IDP and refugee support would lose their mandate and Gali would drop off the priority list for international development organisations; |
| <ul style="list-style-type: none"> ▪ As long as Georgia denies that a certain number of people have returned, Abkhazia has no incentive to discuss any other steps toward solving issues related to refugees; ▪ For the majority of people in Abkhazia, the issue of wider refugee return is closed and can only be revisited in the distant future, if at all. Linking this topic with Gal returnees, you are making life more difficult for those who have already returned, as their presence may be perceived as a threat by some in Abkhazia. | <ul style="list-style-type: none"> ▪ It would mean the Abkhaz are no longer obliged to discuss return beyond Gali region for the rest of the Georgian displaced community; ▪ Therefore, return to Gali and the broader return of IDPs need to be discussed and addressed in parallel and must not be separated. |



Polling station in Gal/i, 2014 © Olesya Vartanyan

Elections: a litmus test for democracy and loyalty

On several occasions in the past, when Gal/i residents used their right to vote in either entity, this was taken by one or other 'side' as proof of the Gal/i population's affiliation with their 'opponent', and thus a sign of disloyalty or betrayal.

This emotional backdrop has enabled Abkhaz and Georgian politicians alike to (mis-)use the 'Gal/i factor' for their own political gains, which has played out particularly during election periods.

In Abkhazia, where political parties are weak in terms of their platforms, membership and governance structures, political culture is nevertheless vibrant and the different political forces compete in very real terms for power and for the support of various constituencies. As is often the case with vulnerable groups in this and other contexts, Gal/i residents are known largely to vote en masse, either in favour of the incumbent or the group they consider would offer them most protection. When the contest is tight, the votes cast by the electorate in Gal/i can be a deciding factor, which exposes the local population to additional pressure and highlights some of the internal dilemmas and contradictions regarding 'Abkhaz interests' and how these are perceived and articulated by different groups in the society.

"Issues around passports could have been resolved in a quiet way, but they were used by the parties striving for power."

Abkhaz political actor, 2015

"The issuing of passports [to Georgian citizens] formed the basis for forming a coalition among the political opposition in 2014. 25,000 passports had already been issued; another 25,000 were being prepared. We felt this was a threat to our statehood and saw it as the softly-softly spread of Georgian jurisdiction. We had already had problems being a minority in the past; we did not want a repeat of that scenario."

Abkhaz participant in dialogue meeting, 2015

On the one hand, the Abkhaz wish to pursue their state building agenda and demonstrate political maturity and viability, which for many includes aspects of inclusion, respect for diversity and protection of human rights. This aspiration can come into conflict with a strong ethnocentric sense of national identity and a fear that non-Abkhaz citizens (and in particular ethnic Georgians) may not share the same interests with regard to the issue of the independence of the Abkhazian state and should therefore be excluded from, or have limited involvement in, political processes.

“I don’t want to live in a country where some people are treated as second-class citizens and their rights are being violated.”

Abkhaz civic actor, 2014

From a Georgian perspective similar dilemmas arise; short-term political considerations interfere with humanitarian priorities and long-term visions. On the one hand it would appear to be in Georgia’s interest that ethnic Georgians live well within Abkhazia, enjoy equal rights and take an active part in social and political life in a space that is shared with the Abkhaz and all other groups residing in Abkhazia. After all, only this type of constructive cohabitation and interaction will in the long run provide the foundation for broader peacebuilding processes and open paths toward a more cooperative relationship between Georgians and Abkhaz in the future. At the same time fears remain that progress in the areas of inclusion and rights protection lend legitimacy and a degree of recognition to Abkhazia as a political entity. Some therefore believe it is in Georgia’s immediate interest to demonstrate that Abkhazia is ‘weak’, ‘backward’ and not viable as a state.

“The Georgian government should not help the Abkhaz to make Gali residents get closer to the Abkhazian ‘state’. That might be Abkhazia’s task, but is certainly not Georgia’s.”

Georgian civic actor, 2014

The Khurcha incident

Attacks on voters from Gal/i during Georgian parliamentary elections in May 2008, followed by high profile media coverage and inconsistencies in the investigation process, highlight the extremes to which political manipulation around elections in the Georgian-Abkhaz context can lead.

On 21 May 2008 two minibuses were carrying Georgian voters across the border to the Zugdidi district on the Georgian side. On a football field in Khurcha they were targeted by small arms fire and grenades, which left three people hospitalised, one of them severely injured.

The incident was seized on by the Georgian media, and the Georgian authorities accused Abkhazian forces of carrying out the attack with Russian support. The Abkhazian side denied any involvement and pointed to the fact that the incident had occurred well into territory controlled by Georgia. Several investigations (e.g. by the UN Monitoring Mission¹³, the Norwegian Helsinki Committee, the Human Rights Centre of Georgia and the Reporter Studio in Tbilisi) questioned the official Georgian version and suggested the attack was staged by Georgian personnel. In July 2014 Tbilisi City Court found two former Georgian security officials guilty of charges relating to exceeding official powers in connection with the Khurcha incident. However, to date the case is not fully resolved.

13. Security Council report S/2008/480, 23 July 2008

“If they take an active part in Abkhazian elections, this means they legitimise Abkhazia as an independent entity and forsake their home country, Georgia.”

Georgian political actor in Tbilisi, 2010



Stall at Gal'i market © Olesya Vartanyan

What can be done?

Ultimately, what people on both sides of the Ingur/i river want for themselves seems to boil down to the same thing – a flourishing, strong and secure environment that can provide economic stability and allows them to lead their lives without fear and restrictions of their freedoms. However, they want this on different terms, which in many aspects seem to be diametrically opposed to one another, and mutually exclusive. The complexity of issues in the Gal'i region, the mixture of political and emotional concerns, make it difficult to move forward with pragmatic steps and often lead one 'side' to accuse the other of 'politicising humanitarian issues'.

The only way forward in the first instance seems to lie in leaving eventual political goals aside, focusing on the people affected on the ground and on improving their situation where possible. Even small steps in this context require political will, genuine engagement and a lot of courage. However, past experience has shown that progress is possible and ultimately can serve the interests of both 'sides'. And there are

some lessons that can be drawn from previous interventions – failures as well as successes – which can be relevant for a range of local and international actors engaged in the Georgian-Abkhaz context.

“It is useful to both parties to have clarity. Firstly, it is good for us - we would know exactly how many have returned; and it is good for them as they keep paying the refugees ... It is beneficial to both of us, from the financial point of view at least. At the same time having clarified figures of how many have in fact returned would stop political manipulation in this regard.”

Abkhaz civil servant, 2013

Conclusions

1. There is a need to improve understanding of the people residing in the Gal/i region and their views, and clarify their status. This would need to involve broader and more inclusive consultation of the affected societies as a whole.

Various assumptions and misconceptions persist regarding Georgians in Abkhazia, their living conditions, expectations and visions for the future. A lack of clarity in terms of the actual numbers of people living in the Gal/i region as well as their ambiguous political status continue to pose obstacles to finding mutually acceptable ways forward. Both Georgians and Abkhaz are in their own ways apprehensive about potential negative consequences that may come with possible steps to change the status quo. In order to address some of the sensitivities and allow decision-makers to come up with practicable solutions that take into consideration the concerns of their people, it would be beneficial to:

- Institute the more structured involvement of Gal/i residents in consultations with the authorities and wider circles of Abkhazian society. Efforts have been made by local NGOs in Sukhum/i and Gal/i to foster exchange of this nature. But they will need more support, including from their authorities, to engage on a regular basis and work toward formulating a shared vision;
- Conduct additional research into the perspectives of local people on a range of issues affecting their everyday lives and prospects for a safe and secure future in Gal/i;
- Look pragmatically at establishing the numbers of people residing in Gal/i permanently, temporarily and seasonally, and into formalising their status. For instance, official verification of return could be tied to guarantees for international agencies operating in Gal/i, and their continued support to social services and monitoring developments regarding human rights and security.

Eventually Tbilisi and Sukhum/i will have to agree whether or not they want to launch a formal registration process in Gal/i, and what this would look like in practice. In the first instance it would be beneficial for both 'sides' to clearly articulate their expectations and concerns in this regard;

- Engage different parts of Georgian society in informed discussion on the Gal/i region, and Georgian-Abkhaz relations more broadly. Due to limited access to information and direct contacts there is a lack of awareness among the Georgian population with regard to local perceptions and dynamics within Abkhazia. It is therefore challenging and perhaps not a priority in Tbilisi to think creatively about positive steps and more constructive policies vis-à-vis the conflicts.

“Stop playing games with people’s lives. The Georgian government should find a proper legal framework for acknowledging the reality and the fact that Georgians do live in Gali today.”

Georgian journalist in Tbilisi, 2013



© Olesya Vartanyan

2. It is beneficial to view and treat the Gal/i population within the wider fabric of Abkhazian society, rather than focus on the Georgian-Abkhaz relationship exclusively.

Abkhazian society is highly diverse in terms of ethnic and religious identities, political views and perspectives. A lot of the day-to-day problems encountered in the local communities are related to grey areas in Abkhazia's system of governance, difficult economic conditions and continued exclusion from international processes. While ethnic Georgians are faced with particular challenges, there are also serious issues that people grapple with all across Abkhazia and that are not unique to the Gal/i region. A host of examples of this can be found in relation to community safety, education/language and freedom of movement. If external actors isolate and prioritise problems in the Gal/i region, this can be perceived as confrontational and polarising, and sometimes trigger defensive reactions in Sukhum/i and elsewhere in Abkhazia, where people often feel neglected by international institutions. In order to find solutions that take into account the different needs and perspectives of various groups more needs to be done to:

- Facilitate internal dialogue and interaction between diverse ethnic and religious groups within Abkhazia, and create regular channels for consultation with political actors. Past experience has shown that even small-scale initiatives of this nature can make a real difference in overcoming perceived exclusion and helping people connect and collaborate;
- Encourage and support dedicated efforts to reflect diverse perspectives in the Abkhazian media, including coverage of people's life in the Gal/i region. This would have to involve training of local journalists and correspondents;
- Examine language issues in the Gal/i region within the broader framework of the Abkhazian education system, e.g.: modernise teaching methods and approaches; be mindful of the vulnerability of the Abkhaz language and the need for efforts to revive it; facilitate learning from international experience with regard to education in multi-lingual environments;
- Explore comparable experience elsewhere of managing issues around citizenship and residency in multi-ethnic societies affected by conflict;
- Consider various aspects of freedom of movement and how they are experienced by different groups in Abkhazia when raising problems related to crossing the Ingur/i. Some in Abkhazia are reluctant to prioritise obstacles in Gal/i while the society at large continues to encounter problems with international travel beyond the Russian Federation.



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“They [the current Georgian authorities] have already made a positive step in the Gal district - they do not support subversive activities any more. I believe that we must resurrect ... something like the quadripartite meetings and joint fact-finding groups. Let us cooperate ... and fight crime in the border areas.”

Abkhaz political actor, 2013

3. There are possibilities for reinstating much-needed channels for cooperation around security issues and community safety in the Gal/i region.

When it comes to security personnel in Abkhazia, dialogue participants observed that the Soviet legacy has left its imprint: “They have little understanding of their presence as a human rights function – that they might be there in the first place to protect people, rather than punish criminals.”

Gal/i residents are critical of local security forces and see them as ineffective, and incompetent. Although the situation has improved in recent years, people still report occasional incidents where the police do not adhere to the law and seem to be involved in bribery. Such concerns are shared among Abkhazian society as a whole where there is general lack of trust in law enforcement bodies and the legal system. Poor training and equipment pose additional challenges: when serious incidents are reported, police officers often do not feel able to take adequate action.

The wider population is usually not well informed about its rights. The information vacuum between Sukhum/i and Gal/i persists and local residents often lack adequate knowledge, means, contacts or confidence to voice their concerns and request appropriate support.

The following suggestions for action were generated during a dialogue workshop in 2014 and may help address some of the issues. Some could be fairly straightforward to realise; others would require a higher degree of political support and boldness, but were nevertheless regarded as feasible in the long run by the majority of participants:

- Design and provide serious training programmes for staff of local police, to understand the concept and practical benefits of a human-centred approach to security. This would usefully include technical support and skills building through study visits, and also by providing professional equipment (e.g. proper vehicles, bullet proof jackets);
- Draw on existing experience of cooperation between Georgian and Abkhazian security services at the level of local authorities, including (re-)establishing a hotline to deal with emergencies. Between 2000 and 2008 Georgian and Abkhazian security forces often cooperated effectively, albeit informally, across the Ingur/i. There is great need to reactivate such channels in order to verify incidents and solve individual cases. It was pointed out that the Incident Prevention and Response Mechanism (IPRM) used to address this need to an extent, and that it would be in the interest of all to (re-)establish this or a similar format;
- Think creatively and in pragmatic terms about collaborative efforts to improve stability in the area around the border, to complement the work of the European Union Monitoring Mission and investigate incidents. Monitoring or patrol groups could involve trained local civilians, Georgians and Abkhaz, as well as Russian and European monitors on the respective ‘sides’ who would collate, document and compare information;
- Build on work carried out by Saferworld, for instance, which supports civic actors in local communities to address issues of safety and security. At the same time increase the capacity and scope of organisations in the Gal/i region that are engaged in human rights work;
- Involve more local residents in the police force. This would be beneficial as they would enjoy more trust from the local population. However, people are still afraid to join because of the inherent risk to their own security;
- Establish a local information and human rights office in the administration building (or elsewhere) where people can receive advice and active support, and report incidents. Local residents would be less reluctant to engage with an ‘office’ than the police.

“We opened Pandora’s box. The more we talk about the issues, the more we realise the complexity of the problems.”

“Most importantly people themselves need to decide what they need and want. But in order for people in Gal to be able to choose, decent conditions and safety need to be provided for them.”

“Gali could become a place of confrontation, or a place of cooperation. ... Georgia cannot realise its peaceful intentions in the Gali district without taking on board the interests of the Abkhazian government. And vice versa. Georgia is there; it will always remain some sort of magnet for the local population. ... With regard to Gali residents you have to learn the same lesson that we Georgians have been learning with regard to you: if you allow them to protect their identity they will trust you more.”

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