



General Assembly

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Agenda item 10

Technical assistance and capacity-building

Australia,* Austria, Belgium,* Bulgaria, Canada,* Czechia, Denmark, Estonia,* Finland,* France, Georgia,* Germany, Greece,* Hungary,* Ireland,* Italy, Latvia,* Lithuania,* Luxembourg,* Malta,* Marshall Islands, Montenegro,* North Macedonia,* Poland, Portugal,* Republic of Moldova,* Romania,* San Marino,* Slovakia,* Slovenia,* Spain,* Sweden,* Turkey,* Ukraine and United Kingdom of Great Britain and Northern Ireland: draft resolution

46/... 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,

Taking note of the judgment of the European Court of Human Rights in the case *Georgia v. Russia (II)*,

Recalling Human Rights Council resolutions 34/37 of 24 March 2017, 37/40 of 23 March 2018, 40/28 of 22 March 2019 and 43/37 of 22 June 2020,

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,

* State not a member of the Human Rights Council.



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 United Nations High Commissioner for Human Rights,¹ and noting the recommendations by the High Commissioner made therein,

Stressing the findings of the High Commissioner in the reports, in which the High Commissioner underscored the responsibility of the authorities exercising effective 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 continued process of installation and advancement of barbed wire fences and different artificial barriers, which are enforced periodically along the administrative boundary line in Abkhazia, Georgia and Tskhinvali region/South Ossetia, Georgia and adjacent areas, including during the coronavirus disease (COVID-19) pandemic,

Noting with concern that, despite the Secretary-General's appeal for an immediate global ceasefire, the situation of human rights has further deteriorated in both Georgian regions, particularly owing to growing violations and restrictions on humanitarian access,

Expressing serious concern at various forms of reported discrimination against ethnic Georgians, infringements of the right to life, the right to liberty and security of person, the right to the highest attainable standard of health and property rights, kidnappings, 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 also at the negative consequences of the prolonged closure of the so-called crossing points and the increasing restrictions on freedom of movement, particularly the denial of medical evacuations by the authorities exercising effective control in both regions, which has contributed to a number of deaths and the further isolation of the regions, thereby aggravating the humanitarian and socioeconomic situation on the ground which has been compounded by the COVID-19 pandemic,

Expressing serious concern further at the lack of accountability for unlawful killings of ethnic Georgians committed in the period from 2014 to 2019, which continues to contribute to impunity in both Abkhazia, Georgia and the Tskhinvali region/South Ossetia, Georgia,

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 the United Nations and regional human rights mechanisms,

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

¹ A/HRC/36/65, A/HRC/39/44, A/HRC/42/34 and A/HRC/45/54.

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 the Office of the United Nations High Commissioner for Human Rights in Tbilisi;

2. *Demands* that immediate and unimpeded access 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-seventh session, and to present a written report on developments relating to and the implementation of the present resolution at its forty-eighth session.
