



Public Defender of Georgia

**Special Report of the Public Defender of Georgia on Human Rights
in Conflict Affected Regions**

**Zardiaantkari:
Consequences of War and the Burden of Existence**

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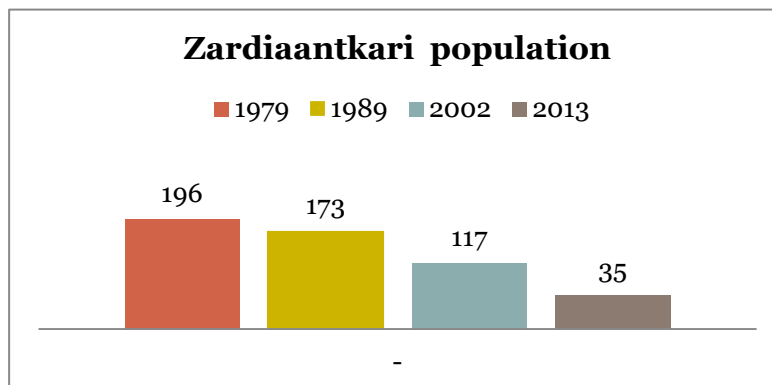
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1. Preface: Population of the village Zardiaantkari and Migration

The village Zardiaantkari of Gori Municipality is located along the administrative border line and represents a sort of micro-picture of Georgian-Ossetian conflict. Before the conflict in 1990s, ethnic Ossetians and Georgians lived here together. According to 1989 census there were 173 inhabitants in Zardiaantkari. Among them the majority were Georgians with 35% of a total village population.¹ As a result of military actions the majority of Ossetian population had to leave their places of residence; however, in 1997 some of them returned. The houses of those who have not returned are still abandoned.

According to 2002 census, there were 117 residents in the village, out of which 68% were Georgians and 32% - Ossetians. During the 2008 war, 90-95% of village population left their houses and like other IDPs founded temporary shelter in other districts of Georgia.

It is rather difficult today to identify the exact number of village population, as they constantly move between Zardiaantkari and Gori. Approximately 18 ethnic Georgian and 6 ethnic Ossetian families stay in the village and around 20 families from the village live in the building of Gori kindergarten.



*As of 2014, it is difficult to identify the exact number of Zardiaantkari population as the people are migrating constantly. The figures showed in the chart are just estimates.

High level of migration from Zardiaantkari derives from the security problems and poor living conditions. The families, traditionally engaged in agriculture works, express their readiness to continue the same activities; however, due to the lack of the relevant conditions, they depend on state allowances and stay in displacement.

¹ Official statistical data provided by Georgian National Statistics Service. In the census of 1989, the data is provided only about the majority of the population, therefore, there is no information regarding the share of the ethnic Ossetian residents.

2. Security situation and social-economic conditions of the village

Since August 2008 when the Russian armed forces left the territory of Shida Kartli, the part of the local population returned to their villages. However, the return was not possible in Zardiaantkari: although the Russians/Ossetians had no claim over the village, the Georgian law-enforcement bodies failed to restore control over it. In these circumstances, the villages turned into a buffer zone and the houses of Georgian population were totally looted.

The situation changed only in summer 2012, when the Georgian police placed two posts at the entrance and in the middle of the village. As a result, part of the population began moving back and carried out seasonal cultivation of their lands and maintenance of the premises.

However, the northern part of the village with 6 Ossetian families is situated between the Georgian and Russian posts and still remains uncontrolled. The families are able to travel through the Georgian posts freely, but, as reported to the representatives of Public Defender, not all of them have Georgian citizenship. For this some of them blame the local authorities for inappropriate attention and indifference.

In general, the security situation in the village is stable. After 2012, there have been no serious incidents related to the security. Nevertheless, the feeling of stability and safety is rather low among village population: quite often they hear the shootings from nearby Russian bases; Georgian law-enforcers take no responsibility for the security beyond the post and the Russian check point is set up at the end of this village. The tension is visible not only for the locals, but also for visitors: the village population shows no eagerness to talk to strangers; ethnic Ossetian residents of Zardiaantkari especially try to avoid contact with strangers.

The situation slightly improved after Georgia regained control of the village: electricity supply was restored; most of the village population receives state social assistance; in winter 2013, the families remaining in the village received 200 GEL to purchase the firewood;² for academic year 2013-2014, three students from Zardiaantkari received full scholarship to fund their higher education. However, Zardiaantkari remains as one of most disadvantaged village among other conflict affected villages and its economic viability is threatened.

During the military operations of 2008, vast majority of houses were subjected to bombing or arson.³ Almost every house was robbed; due to the shelling, the roofs are damaged. The houses need serious renovations: collapsed walls should be strengthened; flooring works should be conducted; the windows need to be fixed, etc. It can be said that no post-2008 war rehabilitation and recovery works have not been carried out, save from the few slates received by two families for roofing. Only three families whose houses were completely burned, received the compensation in the amount of 15,000 USD.

² 36 families received 200 GEL for the heating purposes.

³ In the course of 2008 military actions, three houses were burnt down completely, and one – partially. Because of partial burning the owners of those houses failed to receive 15,000 USD compensation provided for the burnt houses.

In 2013, International Committee of the Red Cross (ICRC) renovated one room for each family remaining in Zardiaantkari in order to improve their living conditions. In September-October 2014, in the course of monitoring conducted by Public Defender's Office, it was revealed that the most of the rehabilitated rooms needed renovation again, as the water leaking from the roofs was penetrating into them.



The second floor of Zh.G's house. The room arranged by the ICRC is on the first floor, under the "cellophane".

Three school-children currently living in the village walk about one kilometer to reach neighboring Mereti Public School.⁴ The other school-age children prefer to stay in Gori kindergarten with their families to get the better education in more peaceful environment.

The village is still facing the problem of potable and irrigation water. Monitoring revealed that there was only one tap for potable water, located beyond the territory controlled by the Georgian police, a km long canal of which was dug by the Ossetian population remaining in the village. All residents of Zardiaantkari use that tap for water supply.



Water tap which is the only source for potable water

⁴ It should be mentioned that the Ministry of Education and Sciences provides funds for transportation only if the distance from the village to the school is over 3 km.

After 2008 several attempts to drill the well were undertaken. As reported by the local population, two driven wells were dug within the state funded “village support program”, but due to insufficient depth the water was not reached. According to explanations of the representatives of Gori municipality, December is the best time for additional works, provided that the ground water level drops in this period; they promise that works to deepen the well will be completed by the end of the year.

Upon the decision of the Temporary State Commission on the Reaction to the Needs of the Affected Population Residing in the Villages bordering the Dividing Line (hereinafter, Commission) drilled wells and reservoir were constructed. Additional pipeline infrastructure will need to be constructed.⁵ Therefore, the works were not completed and the village still has no water supply.



Newly constructed drilled well

Six years without irrigation water prevented the population from cultivating their plots: the fruit trees dried up and locals lost the only source of income. The Ministry of Regional Development and Infrastructure reported that construction works on irrigation pipeline system is now completed and the pump stations will be installed by summer 2015. Meanwhile, the village population uses their fruit trees as fire wood. The Commission decided to provide 200 GEL to families remaining in Zardiaantkari to purchase firewood only at the end of October, while, Gori Municipality had no lists of beneficiaries even at the end of November.

In 2013 the Commission discussed the issue on speeding up gasification of villages along the administrative Boundary line (ABL). For this purpose, the Government of Georgia allocated

⁵ As declared by the Ministry of Regional Development and Infrastructure the designing works have been completed and the construction works will start in the nearest future. 26.11.2014

necessary funds and the construction works are completed in most villages of Shida Kartli. Central arterial line has also reached Zardiaantkari, but the works are not completed yet. Accordingly, the population will have no gas supply in winter 2014-2015.

Due to grave social-economic condition, majority of Zardiaantkari population decided to stay in Gori kidnergarten and seek some opportunities in town. However, as revealed by the monitoring of Public Defender's office, some of the villege population who fear the resumption of hostilities do not wish to leave the room at the kidnergarten, as they want to have guaranteed shelter in the case of war and new displacement.

3. The population remaining in the kindergarten

The situation is also difficult at Gori #1 Kindergarten, where the dwellers of Zardiaantkari found a shelter and which still functions as pre-school educational establishment.

Living space is in a miserable condition: bathrooms do not operate; the floors are broken; corridors have no windows; and each family has only one room, which serves as a kitchen and a bedroom. Since Zardiaantkari belongs to the territory under Georgian control, the population living there has no status envisaged for the Internally Displaced Persons (IDPs), thus they have no access to the relevant social package attributed to the IDP status.



The toilet at the kindergarten used by the people living there

It shall be underlined, that the residents of Zardiaantkari did not have the IDP status even before 2012, when Georgian authorities had no control over the village. According to information available to Public Defender's Office, dwellers of Gori kindergarten made several appeals to the Ministry of

Internally Displaced Persons from the Occupied Territories, Accommodation and Refugees of Georgia. Official response from the Ministry states that Zardiaantkari population is denied the IDP status because the place of their permanent residence (that is Zardiaantkari) is not considered as an occupied territory.⁶ Furthermore, the people sheltered at the kindergarten also have no possibility to be involved in state programs designed for the population affected by the conflicts, such as the program which provides the funds for firewood. There is no gas supply in the kindergarten and the electricity fees are covered from the families own funds.

When speaking to the representatives of Public Defender's Office, people state they will return to Zardiaantkari if social and economic conditions improve.



The entrance of the kindergarten used by Zardiaantkari population

It is clear that forced return of Zardiaantkari population to the village will be problematic. At the same time, their life in the kindergarten is also related to significant problems: they have constant disputes with kindergarten administration, which, on its part, has the obligation to provide adequate space and conditions to children. Kindergarten is supervised by Gori Mayor's office, while village Zardiaantkari falls under the authority of Gori Municipality *Gamgeoba*, both of which fail to tackle this challenge.

⁶ According to the article 6 of the Law of Georgia on Internally Displaced Persons – Persecuted from the Occupied Territories of Georgia: “A citizen of Georgia or a stateless person with a status residing in Georgia shall be considered as an IDP, if he/she was forced to leave his/her permanent place of residence because of threat to his/her or his/her family member's life, health or freedom caused by the occupation of the territory by a foreign state, aggression, armed conflict, mass violence and/or massive human rights violations and/or he/she cannot return to his/her permanent place of residence due to the abovementioned reasons”.

In September Public Defender's Office organized special meeting with participation of Gori Deputy Mayor, Deputy *Gamgebeli* of Gori Municipality, the Director of Kindergarten and the representatives of Zardiaantkari. In the course of the meeting, it became clear that, in fact, no alternatives could be proposed to the population remaining at the kindergarten. The rehabilitation of houses as well as the issues related to the compensation or material assistance in terms of cash or construction materials in Zardiaantkari has not been discussed in the municipality.

4. Summary and recommendations

Restoring control over Zardiaankari in 2012 was an important development to secure return of population to the village; however, since then, there has been no significant progress regarding improvement of living conditions for the local population, something that would encourage those remaining in the kindergarten to return. In order to ensure the dignified return of Zardiaantkari population and improve demographic situation central and local authorities shall undertake the following measures:

Ministry of Regional Development and Infrastructure:

- shall complete the rehabilitation works for the potable and irrigation water systems in nearest future;

Temporary State Commission on the Reaction to the Needs of the Affected Population Residing in the Villages bordering the Dividing Line shall:

1. consider the supply of firewood and subsidizing the electricity fees for the population temporarily residing in the kindergarten;
2. consider the rehabilitation of the houses in Zardiaantkari within the shortest possible period of time and start the renovation works for the damaged houses;
3. include the subsidies for the agriculture activities in Zardiaantkari for minimum three years in the draft strategy on social and economic development of the population of the regions affected by the conflict;
4. communicate the information on the planned state programs to the population of Zardiaantkari.

Gori Municipality shall:

- take necessary steps to ensure the allocation of funds intended for the purchasing the firewood as soon as possible;

- secure timely communication of the information on the planned state programs to Zardiaantkari population;
- secure the timely completion of the works started on the driven wells in Zardiaantkari.

The Ministry of Energy shall:

- ensure the timely completion of gasification works in Zardiaantkari;
- provide subsidies on electricity fees for Zardiaantkari population residing in the kindergarten.