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Georgia: Adequate housing for internally displaced remains a concern

On World Habitat Day (4 October) designated by the United Nations to focus the attention of the international community to the issue of adequate housing, Amnesty International is calling on the government of Georgia to end the practice of forced evictions and to ensure that evictions are carried out only as a last resort and in genuine consultation with the affected communities.

According to local sources, around 5,000 people have been forcibly evicted from their accommodation in Tbilisi, Georgia's capital, during five evictions in June, July and August this year. The evictions have apparently failed to meet international standards. In particular, the authorities did not carry out a genuine consultation process with the displaced people; they failed to provide reasonable advance notice about eviction, and did not provide adequate alternative housing. In some cases, the residents were not offered any accommodation at all and the authorities evicting them told them to find shelter with relatives and friends.

Following international protests, on 23 August forced evictions were halted and the authorities agreed to develop guidelines governing the eviction and relocation of internally displaced persons, in consultation with representatives of local and international organizations.

Amnesty International welcomes the halt of evictions at present, but recalls that many of those evicted in the last few months remain without adequate housing and are reported to be under pressure from the authorities to relocate to rural areas in other regions. While some displaced people have agreed to relocation, many remain concerned that moving from the capital will seriously disrupt their lives and access to livelihoods. For example, those evicted from Isani military hospital in Tbilisi told Amnesty International that they had established their livelihoods in the city, and that they did not consent to being relocated to rural areas, where they lack essential infrastructure and access to basic services. Some people had to inhabit other unoccupied premises in Tbilisi, such as basements of apartment blocks, where they may be exposed to further evictions.

The Basic Principles on Development-Based Evictions and Displacement state that "evictions should not result in individuals being rendered homeless or vulnerable to the violation of other human rights."

Amnesty International believes that the evictions of 5,000 people without genuine consultation and adequate notice constitute forced evictions. Regardless of whether internally displaced persons received compensation or were given the option of resettling in rural areas, their security of tenure over their temporary accommodation in Tbilisi should not be prejudiced. In all circumstances, everyone is entitled to the right not to be evicted without legal protection and other safeguards, as well as the right to freedom of movement.

Amnesty International recalls that housing alternatives need to ensure an adequate standard of living, security of tenure and access to essential services and livelihoods.

Moreover, on World Habitat Day Amnesty International recalls that after almost two decades of displacement, many people displaced during the 90s continue to live in appalling conditions in collective centres awaiting renovation or resettlement. Even some of the renovated collective centres and newly built settlements visited by Amnesty International in March 2010 did not fully meet the criteria of adequate housing due to problems with access to water and sanitation, as well as the availability of essential services. The representative of the Public Defender's Office, who visited IDPs evicted from Tbilisi resettled in the village of Potskoetseri of Tsalenjikha district, told Amnesty International that displaced persons there were living under harsh conditions with limited

access to essential services such as medications, healthcare or livelihood and employment opportunities. The Public Defender's Office also noted that while the houses were refurbished, they do not have gas supply and also lacked electricity supply in the initial weeks when IDPs moved in.

Also at this stage, the provision of durable housing solutions does not involve the estimated 130,000 displaced people living in or renting privately owned accommodation. These residents, almost exclusively displaced by the conflicts of the 90s, are in limbo pending the finalization of the next phase of the Action Plan.

Background

About 220,000 people were forced from their homes during conflicts that took place in the early 1990s. Recent displacement as a result of the war between Georgia and Russia in August 2008 added approximately 26,000 people to the overall picture of displacement in the country.

For more than 15 years, Georgia lacked a state policy on its displaced population. The government's policy was geared towards return. A breakthrough occurred in 2007, with the adoption of a state strategy on internally displaced persons, which recognized the right to local integration, at least until return home became feasible. In 2009, the government adopted an Action Plan and initiated a process of renovating and transferring living spaces into the ownership of displaced people.

However, much remains to be done to fulfil the rights of the displaced to live in dignity. High unemployment and lack of sustainable livelihoods remain important concerns. In terms of realizing economic and social rights other than housing, the present action plan does little more than integrate some of the internally displaced into existing state social assistance programmes.

A series of forced evictions of internally displaced people that took place in the Georgian capital, Tbilisi, in June, July and August 2010, affecting around 5,000 displaced people, added another concern to the living conditions of internally displaced persons in Georgia.

During the first forced eviction, on 14 June, 38 families were expelled without genuine consultation from a collective centre where they had been living for several years and only offered accommodation at another collective centre, which does not appear to be suitable for habitation. Photographs obtained by Amnesty International show that the parts of building are full of debris and poorly maintained. One room containing a toilet has reportedly been allocated to be the main living area for a family. This forced eviction was conducted in violation of Georgia's own national procedures for internally displaced people; in particular a law stating that internally displaced people cannot be moved to accommodation inferior to their current residence and without their written agreement.

Pressure from the authorities to induce displaced people to relocate can be regarded as violation of the right to freedom of movement and freedom to choose a place of residence, as stipulated in the Article 12 of the International Covenant on Civil and Political Rights, which applies to all Georgian citizens. Involuntary resettlement also violates principles 15 and 28 of the UN Guiding Principles on Internal Displacement, according to which displaced people have freedom to choose their residences and that the authorities should provide conditions and means for voluntary return or voluntary resettlement of internally displaced persons.

Amnesty International publications:

Amnesty International, Urgent Action *Georgia: Thousands forcibly evicted in Georgia*, 20 August 2010, AI-Index: EUR 56/005/2010

Amnesty International, Report *Georgia: In the waiting room – Internally displaced people in Georgia*, 5 August, AI-Index: EUR 56/002/2010

Amnesty International, Report-Summary *Georgia: In the waiting room – Internally displaced people in Georgia*, 5 August, AI-Index: EUR 56/003/2010

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