

Position of the Republic of Abkhazia on the question of child security during armed conflict and after it

The Republic of Abkhazia is a partially-recognized State¹. Abkhazia is a young, rather small State with a long and complex history. Because of its convenient geographical position, mild climate and rich natural beauty, Abkhazia has always attracted special attention and been subject to attempts to be conquered. The Georgian-Abkhazian War of 1992-1993 and the economic blockade which followed, interrupted the development of Abkhazia for many years and threatened the security, health, well-being and development of the population, and especially, the most vulnerable, the children. According to the statistics², on 01.01.2009, the population of Abkhazia counted 215,567 inhabitants, of whom 53,460 were children between the ages of 0 and 19 years³.

Thanks to the assistance of some international organizations, the Commonwealth of Independent States (CIS) countries and especially of the Russian Federation, peace and security were re-established in Abkhazia. But the country still suffers from the consequences of the events of 1992-1993, during which not only State infrastructure was destroyed and the economy undermined, but also irreparable moral and psychological damage was inflicted upon the population. Unfortunately, no comprehensive programs on psychological rehabilitation of children and their families - survivors of war, have been implemented in Abkhazia.

Provisions

According to Article 5 of the Republic of Abkhazia's law "About social associations, political parties and movements in the Republic"⁴, only adult persons (at least 18 years old) may join associations and movements. Children from the age of 15 can take part in social youth associations under the auspice of political parties. The age of participants of some other social associations and children's associations is defined by their charter.

The government of the Republic of Abkhazia is familiar with the norms of international humanitarian law related to armed conflicts, and considers it necessary to adhere to them; this is reflected in the Handbook on International Humanitarian Law for the Armed Forces of RA⁵.

¹ The Russian Federation recognized Abkhazia 26 August 2008; Nicaragua on 5 September 2008; Venezuela on 10 September 2009; the Republic of Nauru on 15 December 2009; in addition to South Ossetia and a number of non-recognized States which have recognized the independence of the Republic.

² Here and below all the data was provided by an annual statistics report for the end of 2008 "Abkhazia in Figures", issued by the State Statistics Department of Abkhazia. Sukhum, 2009.

³ Citizens of the Republic of Abkhazia are considered children below the age of 18, the age of majority. Age 19 years is used only in statistics.

⁴ Collection of Legislative Acts of the Republic of Abkhazia. Sukhum, 2003.

⁵ The Handbook of International Humanitarian Law for the Armed Forces of Abkhazia. Approved order № 222 of the Defense Minister of Abkhazia, on 17 October 2007. Ministry of Defense, Abkhazia 2007.

Some extracts from the Handbook:

1. Tasks of moral and psychological education according to international humanitarian law include the following:
 - to convince the Armed Forces of the necessity to observe the principles and norms of international law;
 - to educate the Armed Forces in the spirit of traditional humane treatment of the victims of armed conflicts and the civilian population (par. 149, page 80).
2. While organising the moral and psychological support for combat operations, the troops should be provided with printed publications and audiovisual materials on international humanitarian law (par. 150, page 80).

Children in the Republic of Abkhazia do not learn self-defense and do not receive training on defense.

To date, in accordance with paragraph 81 of the Handbook of International Humanitarian Law for the Armed Forces of Abkhazia⁶, and with the laws “On Defense” and “On general conscription and military service”⁷, the minimum age for voluntary enrolment in the armed forces and groups, as well as voluntary participation in active fighting, is 15 years⁸; the minimum age for compulsory conscription into the armed forces is 18 years.

Concrete Steps undertaken to protect children

At present, the international community is concerned with providing security to children, and Abkhazia does not differ in that respect. The work is carried out together with international organizations to mitigate the consequences of the domestic war of 1992-1993, as well as the effects of the economic blockade. The Republic has rebuilt kindergartens (there are 24 kindergartens for 2,072 children), there are programs on increasing literacy and education among the population: the country rebuilds schools and creates new ones (there are 171 public secondary schools with 26,220 pupils, and two private schools with a total of 445 pupils); colleges and universities/institutes (13 colleges with 1,733 students; 2 universities/institutes with 3,778 students). Much has been done to improve medical services and health for the population as a whole and especially for children (there are 615 doctors in Abkhazia (i.e. 153 more than in 1995), 52 of whom are pediatricians; hospital wards contain 120 beds for children, and 19 health facilities).

The Government has various programs for improving the demographic setting in the country (not so long ago the Government of the Republic completed the reconstruction of the Sukhumi maternity hospital, with 265 beds for pregnant women and women in delivery (50 more than in 1995); the number of live infants born reached 1,990, there were 1,553 deaths in the population, hence a net population increase of 437.

Great attention is paid to questions of cultural development, entertainment and recreation (there are 33 libraries (i.e. 13 more than in 1995), there are 18 clubs, three museums, three

⁶ Ibid.

⁷ Collection of Legislative Acts of the Republic of Abkhazia. Sukhum, 2003.

⁸ Resulting from the small population in the Republic, the age was set at 15 years.

theatres, 12 schools of choreography for children, nine children's sport schools, with 2,838 children enrolled). Thanks to a traditionally respectful and kind attitude towards children and the elderly in the Republic of Abkhazia, there are neither boarding schools nor orphanages in the country. Throughout the country, boys and girls enjoy equal rights of access to education, medical services and cultural development.

According to the 2008 annual report on the activities of international humanitarian organizations in Abkhazia⁹ prepared by the International Department of the Ministry of Foreign Affairs, there are 13 international organizations in Abkhazia, each in one way or another concerned with the problem of child security. Each organization implements humanitarian projects and programs on the questions of security, improving living standards and guaranteeing education and normal development for children. Among the international organizations active in the Republic, there are the International Committee of the Red Cross (ICRC), UNICEF and others. Unfortunately, following the events of August 2008, the humanitarian non-governmental organization "Save the Children" stopped activities in Abkhazia on 1 September 2008.

Additionally, there are some 20 local organizations in the country, whose areas of work include security, improving living conditions and educational opportunities for children, the psychological rehabilitation of families and increasing recreational opportunities. Among them are: the association "Free Step" of disabled children's parents, the charitable organization Ochamchira's House of Youth "Gleam of Hope", the Mother's Movement for Peace and Social Justice, and many others.

The Ministry of Foreign Affairs, which is the main agency coordinating the activities of the international organizations on the Republic's territory, provides assistance in conducting meetings between representatives of international organizations and the leadership of the country, and different ministries and departments. It also provides technical and advisory support.

After the recognition of the independence of Abkhazia by the Russian Federation, the relationship of the Republic with international organizations began to change. Currently, meetings are held by the Abkhaz leadership with representatives of donor countries and international organizations in order to determine a new form of relationship.

Challenges

In order to strengthen cooperation between the international organizations and the Government of the Republic of Abkhazia, and increase efficiencies in overcoming the consequences of the domestic war 1992-1993, as well as of the economic blockade that followed, it would be advisable to¹⁰:

- establish closer and more open relationships between the authorities of the Republic and representatives of international organizations;

⁹ The report was made by The International Department of the Ministry of Foreign Affairs of the Republic of Abkhazia basing itself on international organizations' annual reports about their working activity on the territory of Abkhazia. Sukhum 2009.

¹⁰ All the recommendations are based on the section of "Conclusions and Recommendations for the work of international humanitarian organizations active on the territory of Abkhazia" of the mentioned Report.

- improve the technical, advisory and mediatory cooperation between the sides;
- establish a timely and comprehensive information exchange between the state structures and the international organizations;
- involve all state authorities, local authorities and other bodies responsible for the specific areas of programs implemented by the organizations in the framework of humanitarian projects on the protection of children;
- to appoint, under the direction of the government, a person responsible for the coordination of humanitarian activities and establish a coordinating body in the Republic, which would give recommendations to the international organizations about those aspects of everyday life, health and security of children that are to be paid the greatest attention (resulting from the reports of the Centre for Strategic Research). This coordination centre should monitor the work of international organizations within the territory of the Republic of Abkhazia and, based on their reports, it should print publications about what was done and achieved, as well as information on forthcoming projects. The centre should involve local population in the work with the international humanitarian projects, which would increase confidence in the international organizations and make the humanitarian activity more efficient;
- to involve more countries and organizations, particularly humanitarian organizations from Russia and CIS countries, in order to improve the security and living conditions of children,

The Government of the Republic of Abkhazia facilitates the activities of humanitarian missions on its territory. Representatives of the humanitarian missions are authorized to visit any region of Abkhazia.

The Republic of Abkhazia is not mentioned in the Secretary General's list of lawbreakers. It has never been accused of cruel treatment of children.

The Government of the Republic of Abkhazia has examined the contents of the "Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict" and finds very effective its position in ensuring the safety of children during armed conflicts and after them. In this regard, we ask you to assist in considering the possibility of Abkhazia's accession to the Protocol.

In the case of accession to the Additional Protocol, Abkhazia would raise to 18 years the minimum age for voluntary enrolment of persons in the national forces.