

LEGAL AND POLITICAL SCIENCE

CREEPING OCCUPATION COMPARATIVE STUDY AND ITS INFLUENCE ON POPULATION MIGRATION IN BORDER VILLAGES

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ABSTRACT

The research covers the situation in seven villages (Gugutiaantkari, Ditsi, Kere, Ergneti, Zargiaantkari, Karapila, Dirbi) which have suffered from the creeping occupation.

The research was conducted by means of the preliminarily prepared questionnaire, using the qualitative method. The research contains statistical data, with its following analysis.

Based on local population we have collected materials on their social and economic situation and security issues; based on the aforementioned materials we have outlined the reasons of the flow of population from those villages. The article shows all the social and economic problems existing in listed villages and the attitude of population towards international organizations and Russia. The survey showed us different problems in each of the villages, steps towards solving of which will become the means of stopping migration from those villages.

The research also reflects different opinions by experts on the ongoing processes.

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Introduction. The Georgian Ossetian conflict from the 90s of the 20th century caused difficult political and social processes in Georgia, on the one hand Russia occupied Tskhinvali region (Georgian population living in exile for more than two decades) and on the other hand very difficult is the condition of the population living in border villages for years. The 2008 Russian-Georgian war completely revealed the gravity of this conflict. Conflict processes included an extensive area of Shida Kartli, which gradually adopted the image of **creeping occupation** (see the Research and Policy document of the Villages Affected by the Creeping Occupation – the Georgian National Platform (GNP) 2016 of the Eastern Partnership Civil Society Forum) (Tavakarashvili, 2016).

Occupation (Latin) - temporary detention of another country by the armed forces of any other state. Occupation must be distinguished from annexation, which means that the state of the entire country or part of the territory is joined by force.

In the international law we find two interpretations of occupation:

- 1) **Terra nullius** - No one is holding land, or occupation of a territory that is not in any other state.
- 2) **Occupare** -detention, conquest, acquiring, or using military force, temporary detention of the territory or part of another state (Aleksidze, Giorgadze, & Kvachadze, 2005).

Temporary detention of land or part of the land. The Hague 1907 Convention on the Laws and Customs of the Land War, the 4th Geneva 1949 Convention on the Protection of Civil Population during the War, as well as the Additional Protocol No. 1 of 1977 in connection with the Geneva Conventions of 1949 (see the Hague 1899 and 1907 Conventions, Geneva Conventions of 1949 and Additional Protocols 1977 on the Protection of Victims of War) According to the GDP, the government based on military war is a temporary factual government that has sovereignty and should respect the rights of people living on the occupied territories, establish order there and, as far as possible, maintain and respect the existing laws. Military war is not a form of acquisition of territory, but it is only a temporary detention of the territory of another state by force, and, according to the rule, must be terminated on the basis of the arbitrary or other international agreements on conflict settlement (e.g. Hitler's German territory was divided into four occupational zones between USSR, France and Britain, which was canceled after a long time).

From the announcement of independence, Georgia has been trying to regulate the conflict through different approaches, but the problem is still unresolved and occasionally creates new problems.

The overall situation is complicated by the fact that, except in the Tskhinvali region (which the Georgian authorities cannot control), the conflict processes covered part of the Georgian territory bordering the Tskhinvali region, the **creeping occupation** led to the installation of barbed wires on the territories, changing geographical-political border of Georgia, systematic abduction and transfer of humans to occupied Tskhinvali, which often ends up with lethal results. Currently, there is no longer a long-term vision in the state that has been consistently reflected on the settlement of the conflict, but it is noteworthy that the policy document will be elaborated, which reflects security issues and provides some recommendations. (see the Research) (Tavakarashvili, 2016)

Yet there does not exist long-term vision in the state that would consistently reflect on the settlement of the conflict, but it is noteworthy that the policy document is being elaborated, which reflects security issues and provides some recommendations.

It is noteworthy that creeping occupation and its results have not been the subject of special scientific studies, there are separate articles or expert assessments, which, in our view, can not describe the full concept of the problem. From the studies of the Georgian-Ossetian conflict and the villages that have been affected by creeping occupation recently, the following issues turned out to be interesting for us:

1. How does society perceive the causes and consequences of the August 2008 conflict in Kvemo Kartli, Samegrelo, Samtskhe-Javakheti and Shida Kartli - publishers are Caucasian Institute for Peace, Democracy and Development, Georgian Young Lawyers Association and Saferworld, which works for the elaboration of joint approaches for prevention, reduction of security of conflicts. 2010 year (Group of authors, 2010)

The work was published in 6 volumes, and it describes the views and attitudes of a part of society towards the war in the 4 listed regions, the causes and the perception of consequences of the war. The authors use balanced and unbiased information to try to promote the wider context of the perceived problem, which demarcation line does not go through policy only, one of the important factors is the economic and socio-cultural dimensions.

Residents of both sides had strong relationships. Over time, the existing political situation has caused "socio-cultural alienation, and the reduction of personal contacts has led to a reduction of restraint towards violence." In this paper, security issues have also been raised. 1) How the society perceives the causes and consequences of the August 2008 conflict in Kvemo Kartli, Samegrelo, Samtskhe-Javakheti and Shida Kartli. Publishers are Caucasian Institute for Peace, Democracy and Development, Georgian Young Lawyers Association and Saferworld 2010

1. Annual Reports of the Public Defender 2014, 2015, 2016, 2017 - One chapter is always dedicated to the "social and economic rights of the population living adjacent to the dividing line". The report always shows the general picture as well as the problems of specific people on the example of certain villages (mentioned by their initials) and the package of recommendations for the relevant ministries is presented (Public Defender's Report, 2017)

Soft Power New Concept of Russian Foreign Policy with Georgia After the August 2008 War - Authors: Tengiz Pkhaladze, Tornike Sharashenidze, Giorgi Volski, Teimuraz Karkukhishvili, Mariam Tsatsanashvili, Giorgi Gvimradze, Nato Bachiashvili, Nana Devdariani Publishing House "Mtatsmindeli" 2010 (Pkhaladze, et al., 2010)

"The soft power is based on the mechanisms of cooperation and attractiveness to achieve the desired goal and gives the advantage to intellectual resource. The classical Soft Power consists of three components:

Values, Culture and Diplomacy "using all three components in depicting of the influence of Russian soft power in relation to Georgia and consists of the works of the abovementioned authors. In particular, the book speaks of the Russian soft power and the main tasks in Georgia. (Pkhaldze, et al., 2010)

1. The barbed wire area

Mass violations of human rights on separation lines of Abkhazia and South Ossetia

Report Author Tsagareishvili Nino 2019 (Tsagareishvili, 2019)

2. Life on the edge: victims in the search for the responsibility of the perpetrators

Fidh 2017 Publication Director: Christopoulos Dimitris

In order to obtain materials, mission representatives met with the population of 10 villages of the dividing line. The affected population still lives in a dangerous situation and "reparations for the damage they received during the August 2008 war and the results of which are still going on."

The study concerns the process of installation of barbed wire and the creeping occupation accompanied by "violations of fundamental rights and the hard life of the local population living there." (Christopoulos, 2017)

All of the experts working on these issues agree that in order to reduce the scale of the problem, it is important to elaborate an active foreign policy and the effective security and crisis management system. They think:

Tengiz Pkhaldze, Head of Political Science Program of Georgian Institute of Public Affairs, believes that creeping occupation is one of the most striking and painful components of the Russian military aggression. This is not just a technical process for installation of barbed wire, it has other less visible goals. One of them is the maximum delay of the process. In this way the adversary is trying to sow in the population the feeling of helplessness, break its firmness and stop the inevitable loss of the territories. The purpose of these dividing barriers is to limit the communication between the peaceful population and the people living on both sides of the occupation line are not allowed to communicate. "- Interview (Pkhaldze, 2018)

Irina Vereshchuk, president of the Black Sea and Baltic International Research Center, says: "The settlement of the conflict depends on Tbilisi as the capital of the capital of Georgia, how it will behave and find approach. Actually the major thing for you is not land and territories but the people are the most important. The main thing is, how you approach your hearts and minds. With those people who have to return to their roots, the state. Which should understand that they should return to their own state. "--- Interview (Vereshchuk, 2018)

Expert on security issues - Teona Akubardia believes that by using "creeping annexation Russia is trying to put pressure on the government on the one hand and on the Georgian citizens on the other hand to force the people live in the permanent tension and show their strength ... Creeping annexation is also the unique reflection of Russian hybrid war tactic that it carries out in Georgia"- Interview (Akubardia, 2018)

The creeping occupation was preceded by the suspension of the mandate of the United Nations Observer Mission and its substitution by the EU Monitoring Mission. Experts' views on this issue are different. If the expert Tornike Sharashidze considers that the mandate of the EU Monitoring Mission includes four important components, namely, stabilization, normalization and confidence restoration, as well as reporting with Brussels in order to provide the information to the EU policy implementers about the situation on the ground. The existence of this mission made it possible to inform the world community about the severe manifestation of the widespread occupation and its consequences that reflected on the inhabitants of these villages by creation of severe economic and social environment. (Source)

Giorgi Volsky, a member of the Parliament of Georgia now believes that "the topic of discussion in the governmental, political and expert circles of Georgia has not become a subject of detailed discussion. The reason for this was that the internal political confrontation was going on in the background of large-scale street protests in Georgia; The government itself has appealed in the UN documents to show the violation of sovereign rights of Georgia and the interests of the state, because on the background of defeated war everyone tried to avoid all public debate on difficult diplomatic and political aspects that was hard to understand for a part of society.. After UN observation mission was replaced by the EU Monitoring Mission, without war, by means of creeping occupation, the violation of the territorial integrity of Georgia and the de facto annexation of land possession in this way happens once again (Pkhaldze, et al., 2010). "

As we have noted, **comparative study of the results of the creeping occupation and its impact on population density in so-called across border villages was no subject** of special scientific study, therefore, the research topic urgency is conditioned by:

- Mass displacement of population (especially young people) from villages that are located in the so-called dividing line in permanent mode.

- Despite the fact that the government carried out gasification, rehabilitation of a large part of roads, the introduction of a drinking water system 10 years after the 2008 Russia-Georgia war, economic hardship and social problems in the villages adjacent to the occupied territories remains a major challenge and unresolved problem.

- The Government of Georgia is unable to protect the security of the population, including 32 cases of kidnapping and transporting the border illegally from **January to April 2019**.

The goal of the research is to:

Determine the results of creeping occupation and their impact on population migration from the so called Cross-border villages.

Research Methodology:

The method of study was the **qualitative method** that enabled us to conduct field work in natural conditions, and the study question was viewed from the approach of people involved in the survey. We used an **in-depth interview** as **research technique**. Prior to the research, anonymous questionnaire was developed and researched villages were selected in advance (Ditsy, Gugutiaantkari, Ergneti, Zardiantkari, Kere, Dirbi, Karapila) during the creation of the questionnaire in addition to standard information (personal and socio-economic characteristics, gender, age, education) issues such as: Income (before war, after the war, and at the beginning of the creeping occupation till now), security, access to education, health care, subsidies received from international organizations and government programs, awarding mountain status to the villages located on this perimeter, the opinions and attitudes of the questioned society regarding UN, the EU, NATO, Russia.

The main question for the study was determined:

What has caused the massive migration of the population from the villages affected by the creeping occupation.

At the end of the questionnaire, all the respondents were able to comment on the various problematic issues and the interviewer's observations were placed in the last part of the questionnaire.

The **study groups** were allocated during determining of **research object**, from the **general combination** a **selective unity** was defined, which gave us an opportunity to create a more or less complete picture.

The survey was conducted in the following sequence:

- 1) **Developing a research program (preparation of a questionnaire, determining geographical areas)**

- 2) **Field Stage, collection of information**

- 3) **Information processing**

- 4) **Research report preparation for publication**

(Zurabishvili, 2006)

Discussion and Implication

We surveyed the geographical zones of the so-called border villages after the war in 2008: Gugutiaantkari, Zardiaantkari, Ditsi, Ergneti, Kere, village Karapila of Kaspi municipality and village Dirbi of Kareli municipality.

Based on the information from the Gori Mayor's Administrative Entity representatives (Gori Municipality Sakrebulo Decree #35, April 13, 2018, Gori City), after the war and as result of creeping occupation have been lost 732,48 hectares of land, from which: Kere - (pasture) - 2 hectares; Ugutiaantkari koshka - 55 hectares; Ditsi - 0.80 hectares; Ergneti - 25 hectares. Since 1951 in the Administrative Entity were united Mereti, Koshka, Gugutiaantkari, Zardiaantkari and from these have been fully occupied 131 hectares of mountains and pastures.

Gori Municipality villages:

The village **Zardiaantkari** - in the year 2014, there are 16 families, 28 people, 14 men and 14 women in the village (see source (National Statistics Office of Georgia, 2018))

(Number of interviewed population- 15 people 10 women, 5 men, 18 -61 years)

The results of the survey showed that the 2008 war affected the village, the population was forced to leave their houses until 2012, their safety was not protected. Georgian law enforcers started control of the village and provided human security. After the return of the population it turned out that the houses were damaged and looted, and the part was burned. At present, all the houses in the village have a damaged roof and no need to repair it. About 50 people live in the village. The youth of Zardiaantkari does not return

home. The reason for this is: absence of ambulatory, store, school. The impossibility of producing their own farms and thus the absence of the source of the income caused the flow of young people. The main list of problems is the lack of irrigation and drinking water and the population cannot cultivate the land and this is the main source of income. None of the long-term projects are being implemented in the village that would be tailored to the needs of the village. According to the population, the cultivation of perennial crops in the village should be taken and the medical outpatient, shop, school buildings are necessary in the village. The source of income for rural population is only a social package. The village has one first grader, two young people have become students. No one was married in the village.

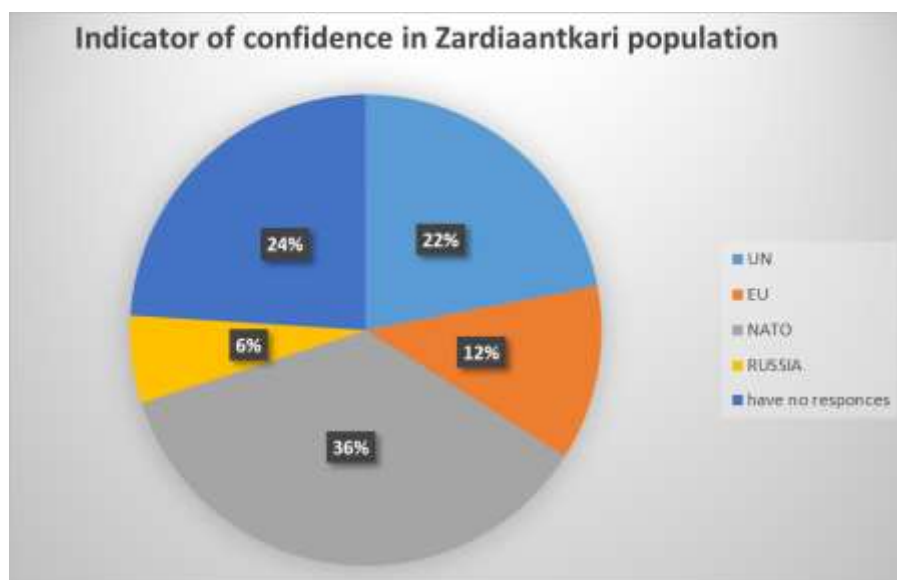


Fig.1.

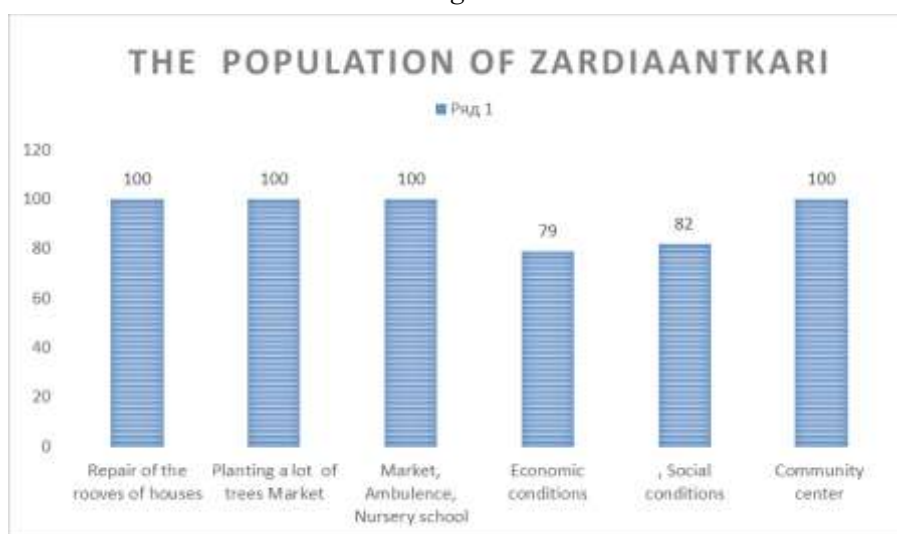


Fig.2.

Village **Gugutianantkari** - Group) According to the 2014 report, there are 48 families, 144 people, 71 men and 73 women live in official statistics. (Source - (National Statistics Office of Georgia, 2018)

(Number of interviewed population, 14 people, 14 women, 52 -74 age group) nowadays their number is quite short. According to the information provided by the population Only 10 families live at the border (permanently only pensioners). After the war there were few (5) hectares of land in the occupation line. Our research showed that after the war the situation of the village population deteriorated sharply and the village was affected by the creeping occupation, the facts of kidnapping of people in the village have repeatedly taken place, the social situation worsens, the hard economic conditions lead to the migration of the population. There are no daily services in the village. There is no primary school, a shop and a medical outpost, the people receive this kind of services from the village of Mereti. Because of the unemployment, the migration process has become more frequent, and the living resources of the population are linked to

the land they own in the occupied territories in the occupied territory (or nearby) because the population is unable to cultivate their lands. Irrigation channels are unregulated. Population complains about drinking water quality. The village needs pharmacy store, because more than half the people need medicines for the treatment of heart, pressure and various diseases. Mostly pensioners remain in the village. According to the interviewed population, it is important to make community centers that will discuss the problems of the community and the ways of their settlement remains a significant problem. Today, drinking water supply to the population and living in conditions of creeping occupation leads to constant fear. The population thinks that their peace is fragile and it feels vulnerable. The ruining of agriculture infrastructure has increased the population migration.

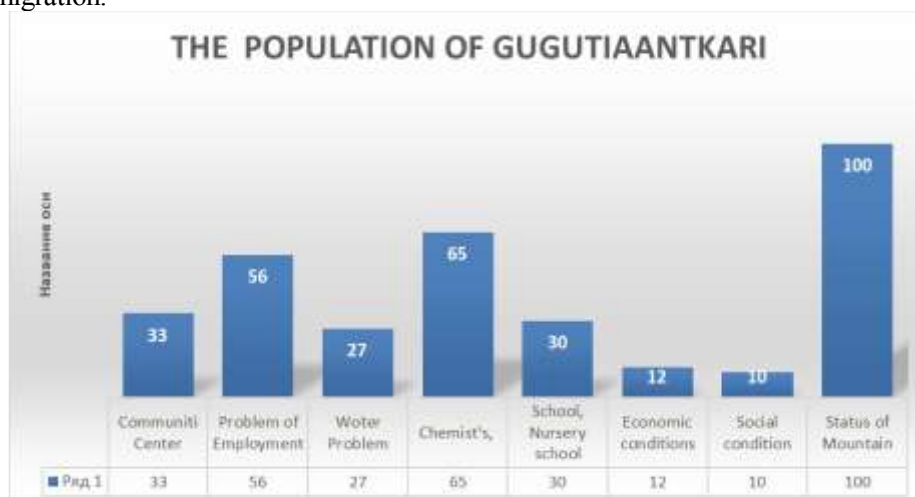


Fig.3.

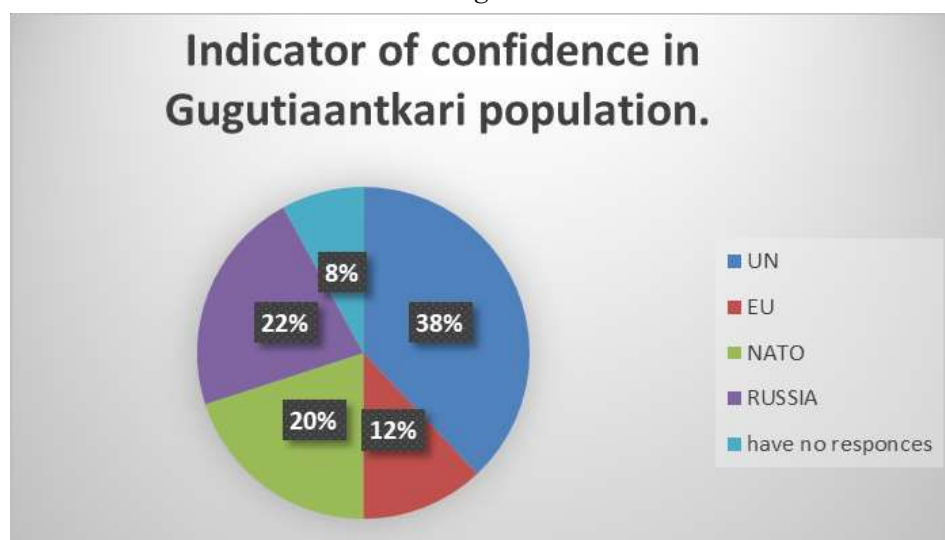


Fig.4.

Village Ditsi - 356 families living in the village in 2014, 1072 people, 539 men and 533 women. This number is currently reduced (National Statistics Office of Georgia, 2018)

(Number of interviewed population of 16 people, 12 women, 4 men, 18 -68 age groups)

The results of the study have shown that the village is affected by war and creeping occupation. Ditsi is distinguished by the large size of its territory and therefore, in comparison with other villages of Gori municipality, by large number of its population. Ditsi population often become victims of kidnapping. Some of the respondents of the rural population talk about social problems, including irrigation water problem (water supply is provided to a part of population, however, some population is left without water). In the list of problems the population mentions realization of crops. Respondents named the problem of absence of sports squares. Although the majority of the population is less informed about NATO and the EU, they still believe that if these countries are able to join these organizations, their security will be protected. The village lost 0.8 arable land and the population fears that there is a possibility of moving so-called "Border, that causes the feeling of insecurity.

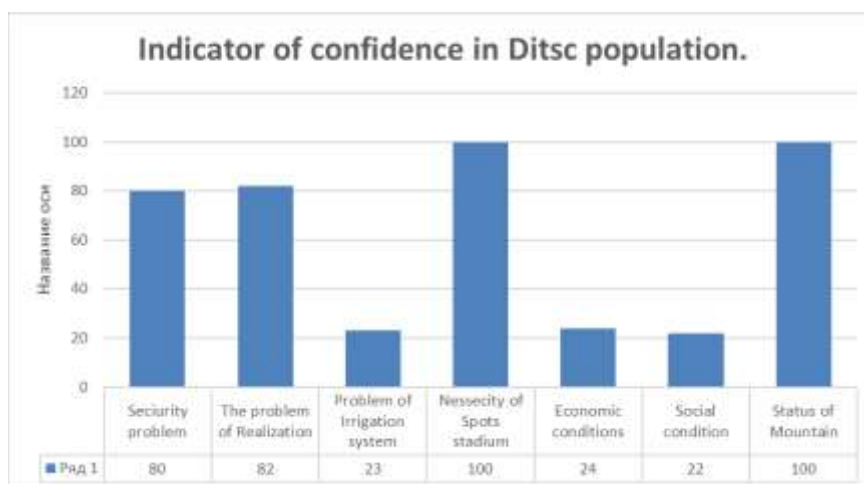


Fig.5.



Fig.6.

The village of **Kere**-source - 204 families with 204 families, 709 people. There are 345 men and 364 women (National Statistics Office of Georgia, 2018).

(12 people interviewed, 9 women, 3 men, 17-65 age groups)

The village is located on the border line, the facts about the kidnapping of people take place.

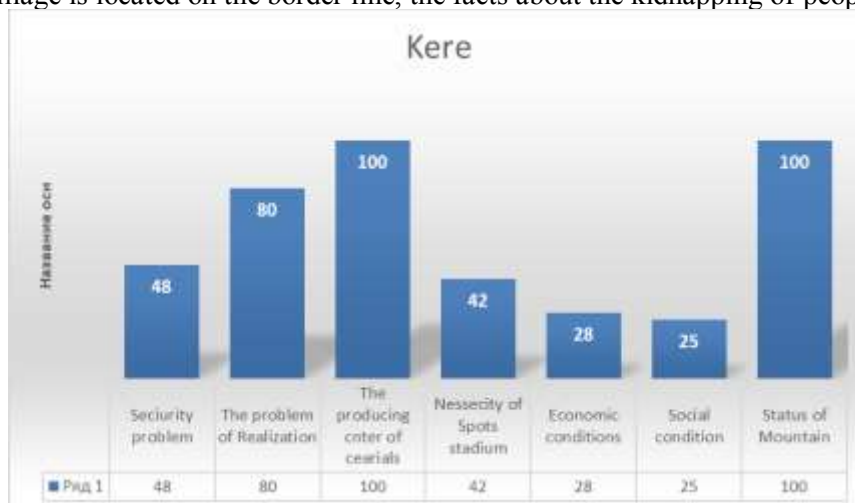


Fig.7.

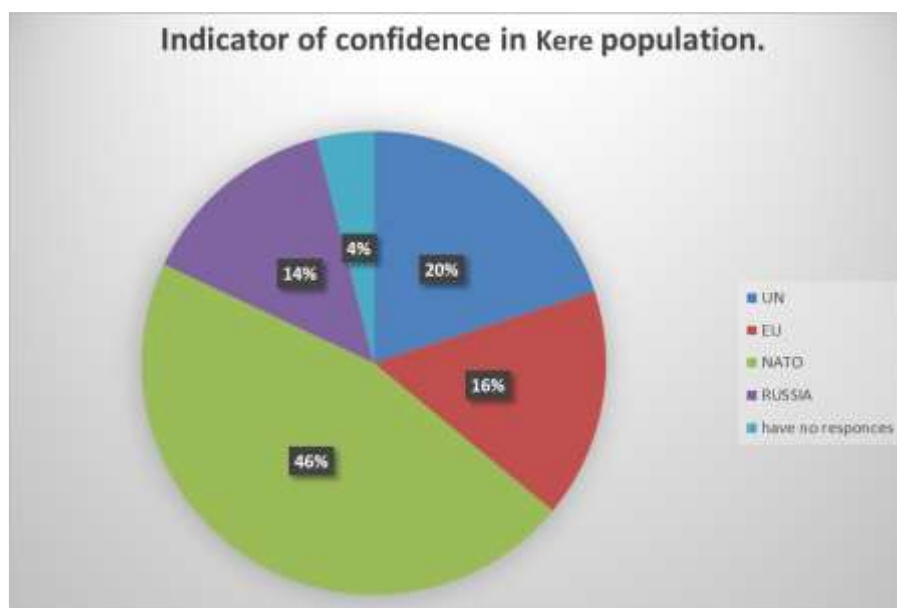


Fig.8.

Research has shown that opening of kindergarten, rehabilitation of school, supplying equipment and arranging modern standards library, rehabilitation of roads is crucial for preventing massive flow of population for maintaining normal level of living. Employment and self-realization of young people still remaining in the village should be encouraged, as well as the arrangement of modern sports grounds. Since the village is developing multiple-year cultures, it is important for them to open the processing center for these cultures. The kidnapping facts, several cases of taking by the invaders the goods prepared for sale, the constant fear along with the above-mentioned problems caused the inner migration of the population.

The village **Ergneti** – 155 households, 457 people, 225 men and 232 women were reported in the village in the general census of 2014.

- The source - (National Statistics Office of Georgia, 2018)

(Number of interviewed population of 15 people, 12 women, 3 persons, 24-62 age groups)

Our research showed that the village was very badly affected by the war, 90% of the houses were robbed and then burned. Despite the fact that the creeping occupation process has not affected the village, it still has the hardest consequences of war. Asking if the creeping occupation has not affected it, why was this village selected for research? Because from the three sides it is surrounded by the occupation line, the number of population is increasing in the village. In this respect the village is the only one across the occupation perimeter.

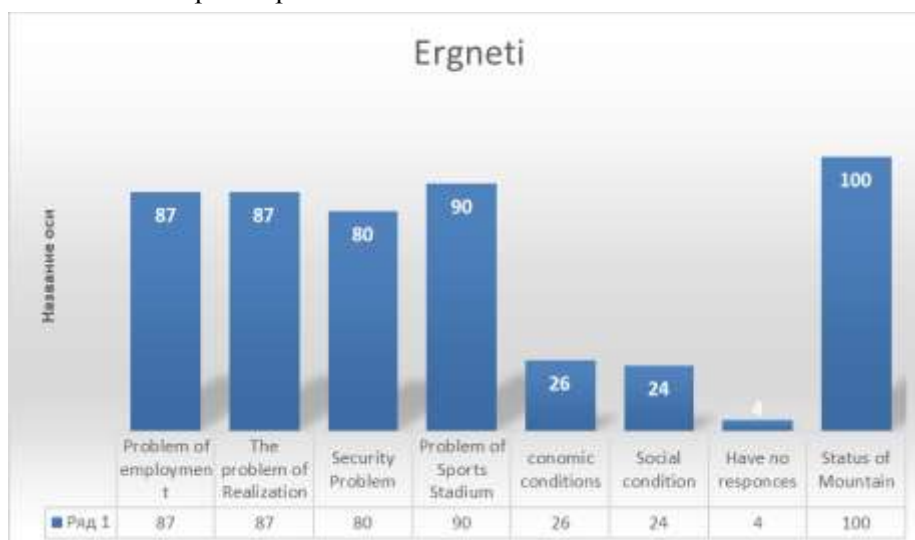


Fig.9.

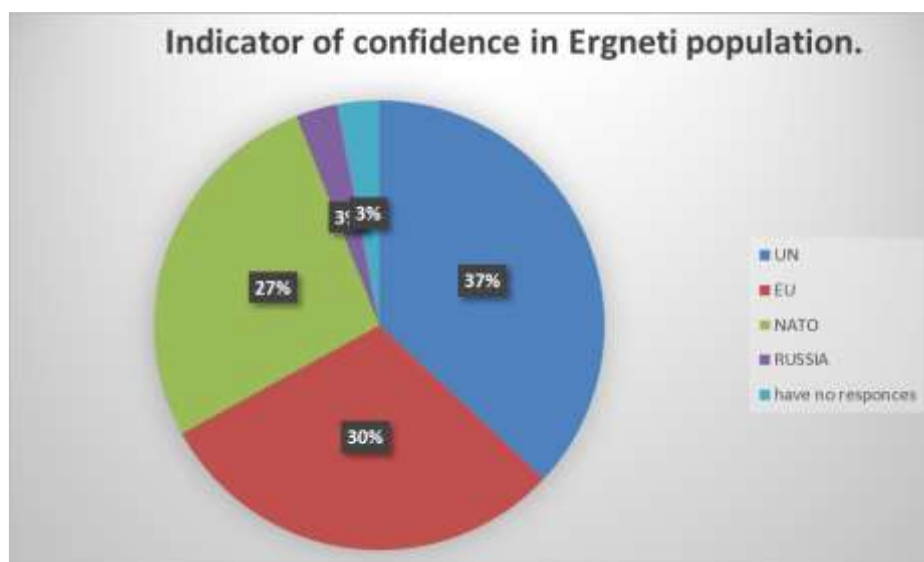


Fig.10.

Respondents think that the school functioning is essential, which will make the village younger. Their accents are equally focused on social issues, economic revival and security problems. The population believes that since youth remain in the village, including those with higher education, that are coming back, their employment should be supported. The school and the village need a playground. For the population it is important that the school has a psychologist and a small fruit processing plant has to be built in order to overcome the difficult economic situation.

Special awareness of the village was caused by the fact that the Museum of Occupation was opened, which contains the materials and photos of the 2008 war.

Kareli municipality village Dirbi

Village **Dirbi** - According to 2014 census, 770 families, 2569 people, 1305 men and 1265 women lived in the village. The source - (National Statistics Office of Georgia, 2018)

(Number of interviewed population, 30 people, 18 women, 12 men, 18 - 72 age groups)

The population pointed out that the number of the residents is quite reduced and is less than 2000 residents.

The village is indirectly bounded by the border line and therefore is less affected by the creeping occupation, but it was damaged by the war as well. The main problem after the war is that the village is that one part of the plots cannot be cultivated because they have a lack of security feeling and are afraid of being kidnapped. Like most of the villages populations, the population of Dirbi complains about the absence of market where they would be able to sell their crops.

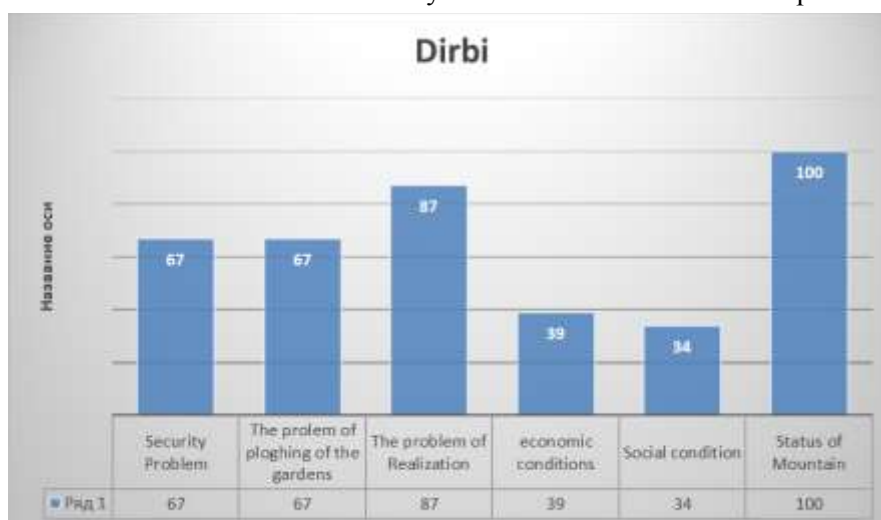


Fig.11.

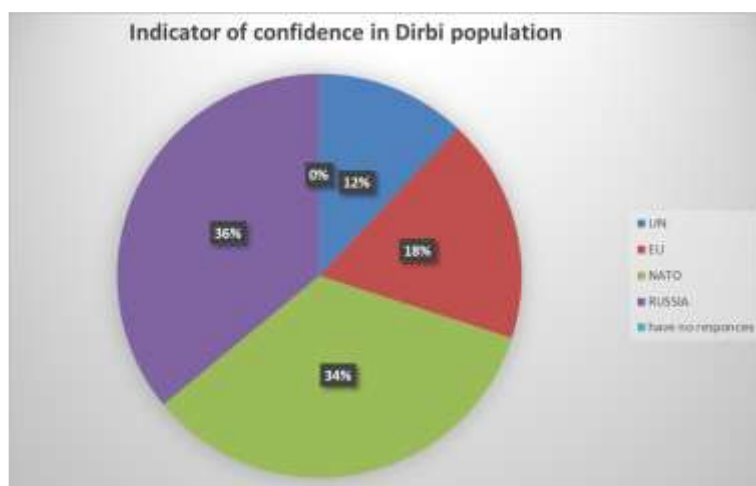


Fig.12.

Kaspi municipality village

Village **Karapila** - According to 2014, 36 families, 88 people, 47 men and 41 women live in the village as per official statistics.

(Number of interviewed population, 4 women, 7 men, 24 66 age groups)

According to the population, the number of residents is reduced to 18 families. The village is bordering Orchosan and although there is no military aggression, they still have a sense of insecurity because some facts of kidnapping have been reported. It was reported that if the barbed wire fences are constructed, their plot areas shall be reduced.

The same issues are important for this village: ambulance, solving drinking water problem, road rehabilitation, setting public transport, irrigation canals, and providing community center for young people who are still in the village that will increase awareness and present opportunities for youth. The village is compacted by Ossetian people and it is important to have such centers, which will help to regulate and deepen Georgian-Ossetian relations. The population is poorly informed about NATO and the EU.



Fig.13.



Fig.14.

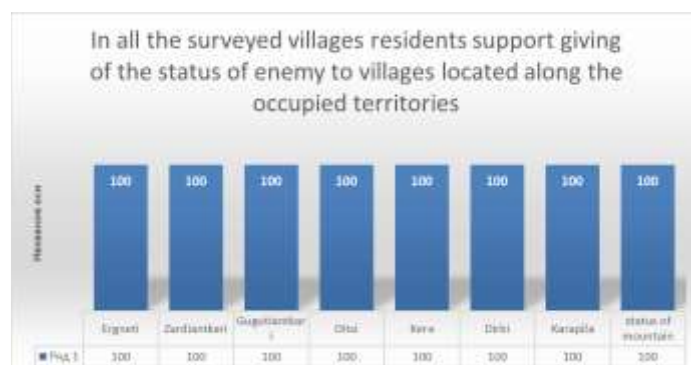


Fig.15.

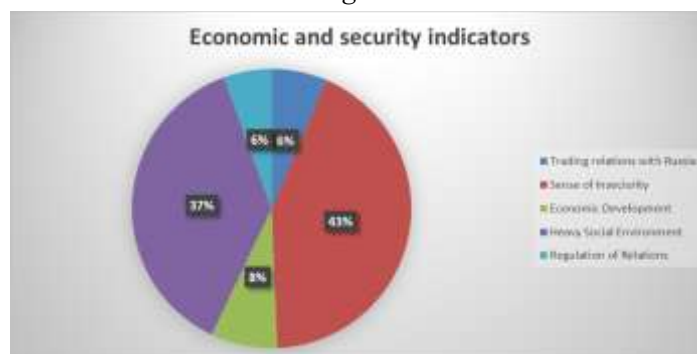


Fig.16.

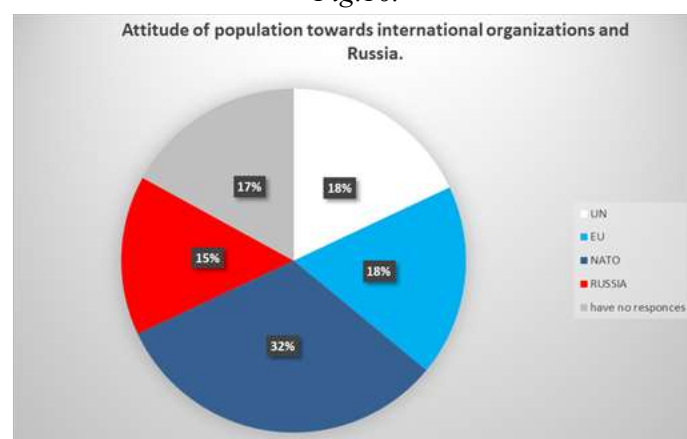


Fig.17.

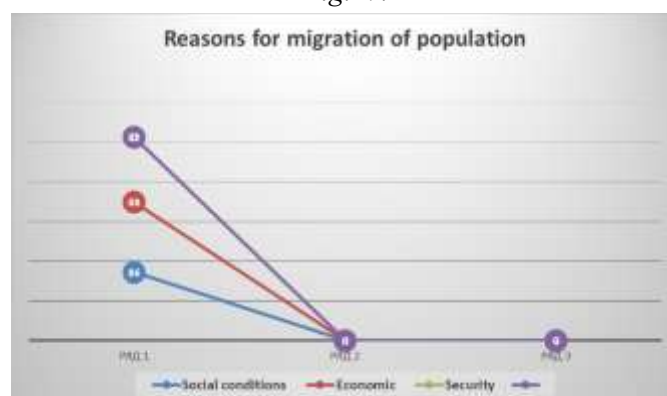


Fig.18.

The study showed that the creeping occupation has provoked internal migration that thus in turn has induced a sense of insecurity, uninformedness and unemployment.

Results. With the information obtained from the surveyed people through the questionnaire, we can conclude that all villages share common severe social problems and economic hardship.

The level of population and especially youth flee has increased in the villages, which has been provoked by hard-working conditions in villages and unemployment/joblessness and low self-realization. Positive is the fact that the state is financing the education of students from these villages, but of no less importance is the internships to other young people to retrain in various advanced specialty options that will help them in self-realization and gaining the subsistence minimum, which will lead to productive time-consuming and lifestyle changes. The solution of the problem is the government's prerogative and should be supported by the public involvement.

The water supply problem of is still unsolved in the villages, in some of them potable water is the problem and irrigation water in others. All the residents of the surveyed villages think that the community centers should exist where people would be able to gather and discuss problems in order to present them to the government.

In terms of security it should be taken into consideration that the population of the villages has a feeling of Russian occupation. Majority thinks that Russia is an occupant and it is impossible to restore relations until restoring territorial integrity. 10% of population share this opinion and believe that the relationship with Russia should be regulated, which will become a contributing factor for the return of lost territories. People have a willingness to live a peaceful life so that they are encouraged to promote education, arrange sports grounds, and ensure the reception of non-formal education, improvement of socioeconomic environment, opening medical outpatients clinics (where lacking) and arrangement of a merchant service facility. In their opinion for being higher awareness it is expedient to implement more EU and NATO programs and to ensure higher involvement in them.

There is a need of more information about NATO and EU. This information is available for young students but unknown and unavailable for the majority of the remaining population.

The involvement of the local community in the issue of resolving the Georgian-Ossetian conflict will be important for two reasons - one thing that they will be able to actually handle the situation and the second is that they still have ties with the population remaining beyond the border.

The reality is that the population remaining beyond the border speaks Russian, especially youth, and for the future communication with the parties it is necessary to have a command of Russian colloquial language to communicate with them.

The Georgian society speaks less about the people who stayed beyond the so-called border whom we can easily call the Georgian Diaspora. It is necessary and highly important to communicate with them; deliberate assessments of events and long-term strategic programs that will facilitate their involvement and both sides will be able to be objectively informed and restore the trust between them.

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